United Nations S/AC.44/2013/18

Security Council

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English
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Security Council Committee established pursuant to resolution 1540 (2004)

Letter dated 17 June 2013 from the Permanent Representative of Paraguay to the United Nations addressed to the Chair of the Committee

I have the honour to write to you with regard to your note S/AC.44/2013/OC.5 of February 2013.

In that note, on behalf of the Security Council Committee established pursuant to resolution 1540 (2004), you thanked Paraguay for providing information on its implementation of the aforementioned resolution and requested my country's Government to provide updated information pursuant to paragraph 7 of Security Council resolution 1977 (2011), which extended the Committee's mandate until April 2021.

In that connection, the competent authorities of Paraguay report that although there are no clarifications or modifications of the information provided in 2006, they would like to transmit to the Committee additional information on new measures taken by the Government pursuant to Decree No. 20997 of April 2003, which established the National Commission for the Prevention of and Response to Biological Emergencies (CONAPREB) (see annex).

This institution comprises high-level Government officials who specialize in linking and coordinating the capacities and efforts of its member bodies; its primary goal is to prevent and respond effectively to biological, chemical and radiation emergencies by cooperating to ensure the safety of people and the environment.

(*Signed*) José Antonio **Dos Santos**
Ambassador
Permanent Representative

13-53476 (E) 131113 201113

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Annex to the letter dated 17 June 2013 from the Permanent Representative of Paraguay to the United Nations addressed to the Chair of the Committee

Asunción, 13 June 2012

DIGAI No. 31/2013

The Department of International Affairs in the Ministry of Defence presents its compliments to the Department of Special Affairs in the Ministry of Foreign Affairs and acknowledges receipt of note VMRE/DGAE/No. 189/13 of 19 March 2013, summarizing note No. S/AC.44/2013/OC.5 of 27 February 2013 from the Chair of the Security Council Committee established pursuant to resolution 1540 (2004), in which the Committee thanked Paraguay for providing information on its implementation of the aforementioned resolution and requested the Government to provide updated information pursuant to paragraph 7 of Security Council resolution 1977 (2011), which extended the Committee's mandate until April 2021.

The last time that our country submitted documents was in 2006, when it provided additional information from the Government in connection with the initial report, submitted in November 2004.

This Department reports that there are no clarifications or modifications of the information provided.

In that connection, it transmits herewith additional information (see enclosure) on new measures taken by the Government by establishing, through Executive Decree No. 20997 of April 2003, the National Commission for the Prevention of and Response to Biological Emergencies (CONAPREB). The Commission comprises high-level Government officials who specialize in linking and coordinating the capacities and efforts of the non-governmental institutions and organizations that are its members; its primary goal is to prevent and respond effectively to biological, chemical and radiation emergencies by cooperating to ensure the safety of people and the environment.

I would appreciate if you would transmit the attached information.

The Department of International Affairs in the Ministry of Defence takes this opportunity to convey to the Department of Special Affairs in the Ministry of Foreign Affairs the renewed assurances of its highest consideration.

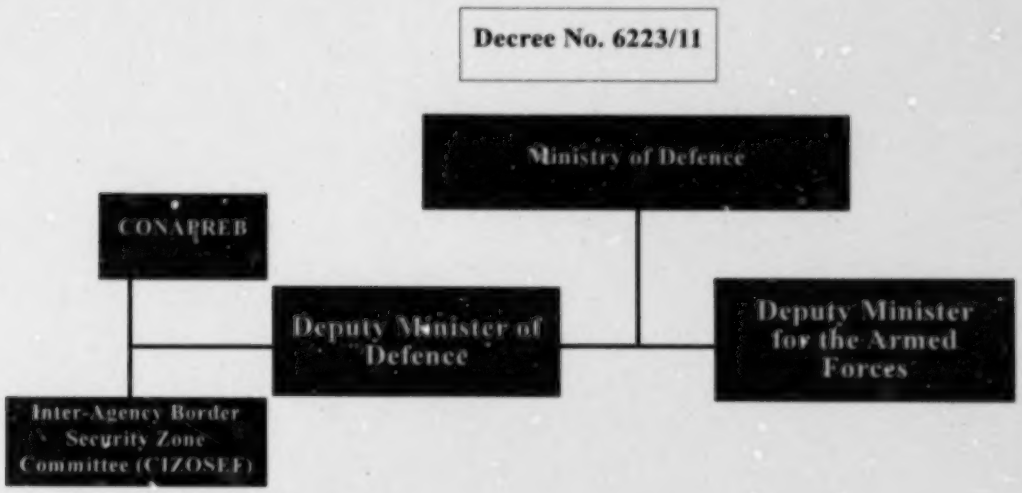
(*Signed*) Cesar Regino **Ovelar Martínez**

Enclosure

Legal and institutional framework

The National Commission for the Prevention of and Response to Biological Emergencies (CONAPREB) was established by Executive Decree No. 20997 of 2003.

CONAPREB comprises high-level governmental and non-governmental officials who specialize in coordinating and linking the capacities and efforts of its member institutions and organizations in order to prevent and respond effectively to biological, chemical and radiation emergencies by cooperating to ensure the safety of people and the environment.



Executive Decree No. 20997/2003

CONAPREB was established in order to:

- Prevent and respond in an adequate and timely manner to emergencies caused by biological, chemical or radioactive agents or other weapons of mass destruction, whether accidentally or as a result of a terrorist attack, thereby enhancing the safety of people and the environment;
- Assist the high-level Government authorities with respect to security policies, programmes, plans and criteria to be implemented.

Member institutions (22 in all):

Ministries:

1. The Ministry of Defence
2. The Ministry of Public Health and Social Welfare
3. The Ministry of the Interior
4. The Ministry of Foreign Affairs

5. The Ministry of Agriculture and Livestock
6. The Ministry of Public Works and Communication
7. The Ministry of Education and Culture
8. The National Armed Forces
9. The National Police
10. The Social Security Institute
11. The Paraguayan Volunteer Fire Brigade
12. The Paraguayan National Association of Volunteer Fire Brigades
13. The National Electricity Administration
14. The Paraguayan Communications Company
15. The Paraguayan Health Care Company

Secretariats:

16. The National Anti-Drug Secretariat
17. The Environment Secretariat
18. The National University of Asunción (UNA)

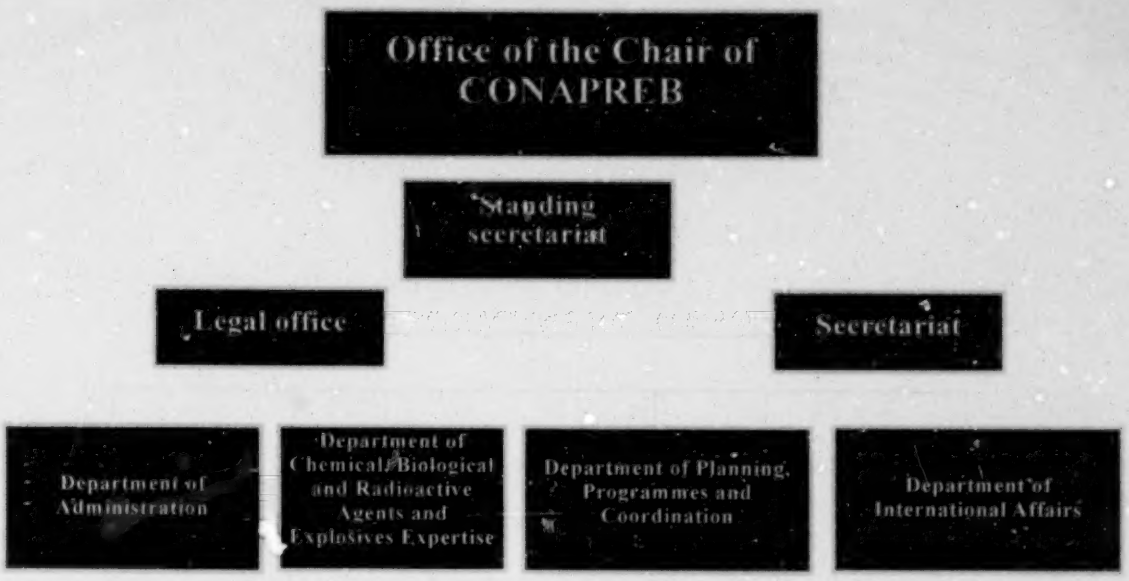
National Commissions:

19. The Telecommunications Commission
20. The Atomic Energy Commission (CNEA-UNA)
21. The Health Research Institute
22. The National Institute of Technology, Standardization and Metrology

CONAPREB will recommend the establishment of biological emergency prevention and response committees in governmental and non-governmental institutions, private entities and other social sectors.

CONAPREB will oversee and conduct a review of the National Prevention and Response Programme and contingency plan for each sector.

CONAPREB organization chart


Office of the Chair of CONAPREB
Standing secretariat
Legal office
Secretariat
Department of Administration
Department of Chemical, Biological and Radioactive Agents and Explosives Expertise
Department of Planning, Programmes and Coordination
Department of International Affairs

Institutional priority:

- To publicize the mission, organizational system, standards and prevention programmes of CONAPREB throughout the national territory, including to armed forces units, the police, departmental and municipal authorities, hospitals, voluntary fire brigades, etc.;
- To establish a national database and survey the capacities and limitations of the governmental and non-governmental institutions in each of the State's departments; and
- To map the risks and threats affecting the transport, storage, acquisition and transfer of hazardous toxic materials and the hospital facilities that handle radioactive materials.

Short-, medium- and long-term policy

- To acquire equipment with a view to the establishment of an emergency operations command (COE) and to establish and equip a CONAPREB mobile operations command;
- To train the staff of response institutions that might be involved in small, medium- and large-scale chemical, biological and radiation emergencies; and
- To prepare training programmes offering theoretical and practical courses through basic, advanced and specialized modules, including courses on the handling of hazardous materials and weapons of mass destruction (nuclear, biological, chemical and radiological) with a focus on first-response staff and the staff of departmental and municipal governments, regional hospitals, military units, departmental police headquarters and volunteer fire brigades.

- In the city of Asunción, 80 people received training in 2010.
- In 2011, visits to cities in the departments of Pilar and Alto Paraná and to the town of Mariscal Estigarribia were conducted; a total of 138 people received training.
- In 2012, the cities of Encarnación, Concepción and Filadelfia were visited; a total of 124 people received training.

International relations

– Organization for the Prohibition of Chemical Weapons (OPCW)

2011 — Military Forces Command

- Basic course on combating chemical weapons
- Advanced course on combating chemical weapons
- Gift of equipment valued at 40,000 euros

2012 — Article X international courses

- Regional advanced course, Buenos Aires, Argentina — Sop Mam Roberto Valdez
- Czech advanced course, Czech Republic — Artillery Captain Christian Centurión
- Basic course on nuclear, biological and chemical materials, Spiez, Switzerland — Christian Monges, technician
- Regional course for escorts and inspectors, Santiago de Chile — Navy Colonel Antonio Orue
- Regular basic course, Rio de Janeiro, Brazil — Tte. Avc. Rocío Duarte

– International Atomic Energy Agency (IAEA)

2011 — National University of Asunción — National Atomic Energy Commission (CNEA)

- July — Basic course for first responders to radiation emergencies — Navy Colonel Antonio Orue, Navy Colonel Marion Rodríguez, Sop Transp. Eligio Castro, Sop Mam Roberto Valdez, FP Christian Monges, Omar Campos, Luis Figueredo and Mercedes Talavera
- May — Training course on the application of security standards and a guide to national capacity-building for emergency response to nuclear and radiation emergencies — FP Omar Campos, Luis Figueredo and Mercedes Talavera
- July — Workshop to review and update the Paraguayan National Response Plan for Radiation Emergencies, based on the previous version of the Plan — FP Christian Monges, Mercedes Talavera

– **Inter-American Committee against Terrorism (CICTE)**

– **Southern Common Market (MERCOSUR) working group on terrorism (illicit trafficking in nuclear material)**

– **Strategic Approach to International Chemicals Management (SAICM)**

– **Conventions**:

Rotterdam

Stockholm

Basel

As a first step, the Ministry of Defence, through CONAPREB, has invested in equipment acquisition over the past three years. We are also gathering data from every institution in the Republic and are planning to prepare communication, warning and other protocols.

Ministry of Defence equipment

Item	*Description*	*Quantity*
1	Global Positioning System (GPS) equipment for navigation	1
2	3M Jupiter two-speed air purifiers	2
3	3M full-face mask	50
4	Separate kit with two replacement cylinders	2
5	MSA Altair 5 multi-gas detector kit	1
6	Meteorological kit	1
7	60 RAD dosimeter	6
8	Biological hazard protective suit, white	500
9	Blue corrosive gas and liquid protective gloves	500
10	Steel-tipped Hazproof harsh chemical protective boots	30
11	N95 half-mask respirator	1 000
12	Separate kit with full harness and two cylinders	2
13	400 pairs of neoprene gloves	33
14	Du Pont type-F inorganic and organic liquid protective suit (resistant to chemical and biological attacks)	39
15	TK level-A encapsulated suit with valves	4

Automated vehicle location (AVL) software — Global Positioning System (GPS) communication control

Emergency operations centre

Portable radio		**4**
Motorola MOTO TRBO DGP 4150 portable radio without a display, 32 channels	1	
IP Site Connect	1	
Mobile radio		**2**
Motorola MOTO TRBo DGM 4100+, GPS, 136-174MHZ 25W with numeric display	1	
IP Site Connect	1	
Maxrad magnetic antenna with 5/8 wavelength	1	
Independent GPS antenna (perforable)	1	
VHF radio with antenna and GPS mobile phone antenna	1	
Base radio		**1**
Motorola MOTO TRBo DGM 4100, 136-174MHZ 25W with numeric display	1	
IP Site Connect	1	
Two-ring VHF antenna	1	
Power source	1	
Metres of RG213C coaxial cable	40	
RG213C type-N female coaxial connector	1	
RG213C type-N male coaxial connector	1	
Lightning arrestor	1	
Jumper lightning arrestor-repeater cable (N male-N male RG213C 5 metres)	1	
Barrilito MINI UHF-N female (repeater-jumper) adapter	1	
Hanger kit	1	
Weatherproofing tape kit for antenna connecter	1	

OPCW gifts to the Republic of Paraguay

Data provided by the CONAPREB Technical Department of Chemical, Biological and Radioactive Explosives by technical staff member Christian Monges

Quantity	*Unit*	*Description*
40	Units	Air-permeable protective suit
3	Units	Training monitor with accessories
54	Units	"Military" tear gas
1	Unit	"Military" agent detection kit for training
4	Units	"Military" agent detection kit
9	Units	Commercial detection kit with tubes, pump with hose
40	Units	"Military" protective mask
40	Units	Water bottles for "military" protective masks
45	Units	Reusable bottles

Quantity	*Unit*	*Description*
40	Units	Protective gloves
20	Units	Waterproof suits
20	Units	Protective gloves
3	Units	Auto-injectors for training
1	Unit	Duct tape
1	Unit	Warning or caution tape
1	Unit	Scissors
1	Unit	LR4 CBRN air-permeable protective suit
1	Unit	"Military" chemical weapons agent detection kit
2	Units	Chemical weapons agent detection kit
2	Units	"Military" protective mask
2	Units	Industrial chemical protective mask
4	Units	Filter for chemical protective masks
2	Pairs	Paul Boye protective boot covers
1	Pair	Paul Boye protective gloves
2	Pairs	Rubber protective gloves
2	Pairs	Boot covers
2	Units	Paul Boye air-permeable protective suit

United Nations S/AC.44/2013/19

Security Council

Distr.: General
12 November 2013

Original: English

Security Council Committee established pursuant to resolution 1540 (2004)

Note verbale dated 12 November 2013 from the Permanent Mission of the Republic of Korea to the United Nations addressed to the Committee

The Permanent Mission of the Republic of Korea presents its compliments to the Security Council Committee established pursuant to resolution 1540 (2004) and has the honour to refer to the Committee Chair's letter dated 27 February 2013 requesting the submission of additional information on the implementation of resolution 1540 (2004).

The enclosed report to the Committee is a comprehensive update of the Republic of Korea's laws, policies, projects and initiatives to prevent and combat the proliferation of weapons of mass destruction, their delivery systems and related materials to non-State actors. The report also includes a range of best practices for enhancing the implementation of resolution 1540 (2004), including the national export control system, measures relating to illicit brokering, and the whole-of-government approach (see annex).

The Republic of Korea would like to take this opportunity to request that the enclosed report be posted on the Committee's website.

13-58029 (E) 171213

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Annex to the note verbale dated 12 November 2013 from the Permanent Mission of the Republic of Korea to the United Nations addressed to the Committee

Third report of the Republic of Korea on the implementation of Security Council resolution 1540 (2004)

I. Introduction

1. Since the unanimous adoption of Security Council resolution 1540 (2004) on 28 April 2004, the Republic of Korea has been strongly committed to its full implementation. The Republic of Korea is actively participating in the global efforts to prevent the proliferation of weapons of mass destruction, and is fully complying with its international obligations under disarmament and non-proliferation treaties, as well as major multilateral export control regimes.

2. The Republic of Korea has taken significant steps to strengthen its implementation of resolution 1540 (2004) since the submission of its first report in 2004 and its second in 2005 (S/AC.44/2004/(02)/24 and Add.1). This includes the adoption and enforcement of various legislative measures to more effectively prevent and counter the proliferation of weapons of mass destruction, including through various measures to strengthen its controls against the illicit trafficking of such weapons and related materials. The primary objective of this report is to provide, pursuant to paragraph 7 of resolution 1977 (2011), additional information on the Republic of Korea's implementation of resolution 1540 (2004), including best practices, with a focus on the progress made since the submission of its previous two reports.

3. The Republic of Korea has been a staunch supporter of the activities of the Committee to promote the full implementation of resolution 1540 (2004). As we approach the tenth anniversary of the adoption of the resolution, and as the current Chair of the Committee, the Republic of Korea reaffirms its firm commitment to promoting full and universal implementation of the resolution. The Republic of Korea pledges its continuing support for the activities of the Committee to achieve this crucial goal.

II. Additional information on the implementation of resolution 1540 (2004)

1. Paragraph 2

Decides also that all States, in accordance with their national procedures, shall adopt and enforce appropriate effective laws which prohibit any non-State actor to manufacture, acquire, possess, develop, transport, transfer or use nuclear, chemical or biological weapons and their means of delivery, in particular for terrorist purposes, as well as attempts to engage in any of the foregoing activities, participate in them as an accomplice, assist or finance them;

4. The Government of the Republic of Korea is taking steps to amend the Act on Physical Protection and Radiological Emergency to introduce key elements of the 2005 Amendment to the Convention on the Physical Protection of Nuclear Materials

and the International Convention for the Suppression of Acts of Nuclear Terrorism into national legislation. These amendments are expected to further strengthen the existing penalty provisions on nuclear-related offences.

5. With regard to chemical and biological weapons and their related materials, in 2006, the Republic of Korea enacted the Act on the Prohibition of Chemical and Biological Weapons and the Control of the Production, Import and Export of Specific Chemicals and Biological Agents, comprehensive legislation that prohibits and criminalizes activities relating to biological weapons and biological agents as well as chemical weapons and specific chemicals.

6. In 2008, the Government enacted the Act on the Prohibition of Financing for Offences of Public Intimidation, establishing the legal basis for the prohibition and criminalization of financing terrorist acts, including, for example, possession, stockpiling or use of nuclear materials, or acts of sabotage on nuclear facilities. The Financial Services Commission is currently taking steps to amend the aforementioned Act to tighten controls on proliferation financing. The proposed amendment imposes restrictions on the financial transactions of a broader category of persons, including those involved in not only "terrorist financing" but also "weapons of mass destruction proliferation financing", and contains new provisions criminalizing not only acts of terrorist financing but also the planning or conspiring of such acts.

2. Paragraph 3 (a) and (b)

Decides also that all States shall take and enforce effective measures to establish domestic controls to prevent the proliferation of nuclear, chemical, or biological weapons and their means of delivery, including by establishing appropriate controls over related materials and to this end shall:

(a) Develop and maintain appropriate effective measures to account for and secure such items in production, use, storage or transport;

(b) Develop and maintain appropriate effective physical protection measures;

7. In October 2011, the Republic of Korea established the Nuclear Safety and Security Commission, an independent government body that regulates and oversees national nuclear safety, security, safeguards and export control measures and policies. The Korea Institute of Nuclear Non-proliferation and Control, one of the subordinate organizations of the Nuclear Safety and Security Commission, was established in 2006 to effectively carry out national measures relating to the physical protection, safeguards and export control of nuclear materials for nuclear non-proliferation and security.

8. The Government is stepping up its efforts to fully implement the Nuclear Security Recommendations on Physical Protection of Nuclear Material and Nuclear Facilities (INFCIRC/225/Rev.5) of the International Atomic Energy Agency (IAEA) and is taking the necessary steps to amend the Presidential Decree relating to the Act on Physical Protection and Radiological Emergency to reflect those recommendations.

9. In accordance with the Nuclear Safety Act, the Government is conducting periodic national reviews on nuclear facilities to ensure that all of its nuclear material is effectively accounted for and secured. With a view to further promoting

national capacity in nuclear security and to enhance confidence, the Government invited the IAEA International Phys cal Protection Advisory Service. The Advisory Service mission is scheduled to be conducted in February 2014.

10. Through the implementation of the Act on the Prohibition of Chemical and Biological Weapons and the Control of the Production, Import and Export of Specific Chemicals and Biological Agents (2007), the Government is exercising comprehensive and effective control over chemical and biological weapons-related material. The Act requires Government licences for the production of chemicals included in schedule 1 of the Chemical Weapons Convention and requires reporting on the production of, and other related activities involving, all chemicals included in the Chemical Weapons Convention schedules as well as biological agents.

3. Paragraph 3 (c) and (d)

(c) Develop and maintain appropriate effective border controls and law enforcement efforts to detect, deter, prevent and combat, including through international cooperation when necessary, the illicit trafficking and brokering in such items in accordance with their national legal authorities and legislation and consistent with international law;

(d) Establish, develop, review and maintain appropriate effective national export and trans-shipment controls over such items, including appropriate laws and regulations to control export, transit, trans-shipment and re-export and controls on providing funds and services related to such export and trans-shipment such as financing, and transporting that would contribute to proliferation, as well as establishing end-user controls; and establishing and enforcing appropriate criminal or civil penalties for violations of such export control laws and regulations;

A. Control of export, brokering, transit and trans-shipment

11. As stated in the Republic of Korea's first national report, submitted in October 2004, the country is implementing strict export control over weapons of mass destruction and their related materials. The export of any item designated as a "strategic item" under the Foreign Trade Act requires an export licence from relevant government agencies: the Minister of Trade, Industry and Energy for dual-use items and general defence materials; the Chairman (Chief Regulatory Officer) of the Nuclear Safety and Security Commission for nuclear material and technology; and the Administrator of the Defence Acquisition Programme for items closely related to national defence.

12. The Republic of Korea maintains a control list of strategic items, published in the Public Notice on Trade of Strategic Items. The Public Notice reflects the most up-to-date list of controlled items under all major multilateral export control regimes, including the Nuclear Suppliers Group, the Missile Technology Control Regime, the Australia Group and the Wassenaar Arrangement.

13. The Republic of Korea introduced a catch-all control system through the amendment of the Presidential Decree relating to the Foreign Trade Act in 2003 and the amendment of the Foreign Trade Act in 2007. Based on these provisions, a licence is required when exporting, transiting, trans-shipping or brokering in items

that are not designated strategic items as such but are nonetheless likely to be diverted for the purposes of the manufacture, development use or storage of weapons of mass destruction or their means of delivery (herein after referred to as "catch-all items").

14. Through the amendment of the Foreign Trade Act in January 2007, the Republic of Korea further tightened export control by requiring any Republic of Korea national residing in the Republic of Korea who intends to broker the sale or purchase of strategic items from a third country to another to obtain a licence. Through further amendment of the Act in July 2013, the Government extended the scope of the brokering licence requirement, from Republic of Korea nationals residing in the Republic of Korea to all Republic of Korea nationals and foreigners residing in the Republic of Korea and from strategic items to all catch-all items.

15. Under the amended Foreign Trade Act, Government authorities are now given the mandate to temporarily stop national or international movement of strategic items or catch-all items if the items were illegally exported from the Republic of Korea.

16. Through the amendment of the Foreign Trade Act in April 2009, the Government introduced a licence requirement for transit through domestic ports or airports, and trans-shipment within the territory of the Republic of Korea, of strategic and catch-all items.

B. Border control and law enforcement

17. The Republic of Korea amended the Customs Act in December 2011 to authorize customs inspection if and when it is necessary to "prevent acts of violations of treaties and other rules of international law", thereby strengthening the legal basis for the control of illicit movement and transfer of weapons of mass destruction and their means of delivery in accordance with international law. In 2011, the Government also introduced a system whereby importers and exporters are required to submit the shipping list of items to be imported or exported well in advance of their shipment, thereby providing the Customs Office with adequate time to screen suspected items in advance and conduct thorough inspections of suspected items.

18. The Government uses the vessel selectivity system to electronically screen ships with a high likelihood of being used for crimes such as terrorism or smuggling. Strict, on-board inspections are carried out on vessels that are selected by the vessel selectivity system.

19. In April 2009, the Republic of Korea introduced the "authorized economic operator" system. Through various incentives to companies that satisfy international safety and control standards and criteria, such as prompt customs clearance and exemption from inspection, the authorized economic operator system encourages efforts by the industry to take voluntary control measures.

20. The Republic of Korea implements the Public Notice on the Customs Clearance of Strategic Items, which sets out specific procedures for the customs clearance of controlled items, including the shipper's export declaration and customs inspection.

C. Control of proliferation financing

21. In 2008, the Government enacted the Act on the Prohibition of Financing for Offences of Public Intimidation, which provides the legal basis for the prohibition and penalization of financing terrorist acts. The Financial Services Commission is taking steps to amend this Act to strengthen controls on proliferation financing (see para. 6 above).

D. Penalty provisions for violations

22. Under the Foreign Trade Act, a person who engages in the export, transit, trans-shipment or brokerage of controlled items without a licence will be subject to imprisonment or a fine. Those who engage in the aforementioned acts for the purpose of international proliferation of controlled items will be subject to a maximum imprisonment of seven years or a maximum fine of five times the value of the items. (The penalty provisions relating to illicit transit and trans-shipment were newly established through the amendment of the Foreign Trade Act in July 2013.) The Government may also impose export/import restrictions for a maximum of three years if a person exports controlled items without a licence or violates principles of the international export control system.

23. Under the Act on the Prohibition of Financing for Offences of Public Intimidation, any person who raises, possesses, supplies or transports funds used for terrorism, or who provides funds to those subject to restrictions on financial transactions without a government licence, shall be subject to a maximum imprisonment of 10 years or a maximum fine of 100 million won. The Financial Services Commission is taking steps to amend the above Act to introduce new provisions that also criminalize "planning or conspiring" of terrorist or proliferation financing.

E. Strengthening control of strategic items

24. The Republic of Korea established the Strategic Trade Information System (Yes Trade) in 2005 and the Nuclear Export Promotion Service in 2008. These are online export control systems that provide information related to the export of strategic items and related technologies and allow for the processing of licences and the classification of strategic items.

25. In 2006, the Republic of Korea enacted the Defence Acquisition Programme Act and established the Defence Acquisition Programme Administration to control the trade, including import and export, of major defence goods and technologies. In 2012, the Defence Technology Control Bureau was established as a specialized organ of the Defence Acquisition Programme Administration to effectively enhance the security of defence technology.

26. In 2007, the Korea Strategic Trade Institute was established as a specialized organization to support the effective implementation of export control, including strategic items classification, management of the online Strategic Trade Information System, and export control training.

27. In 2008, the Government established an inter-agency Council on Export and Import Control of Strategic Items, which convenes periodically to discuss issues related to export control.

28. In 2005, the Government introduced the Internal Compliance Programme to encourage and promote voluntary, corporate-led export control efforts. Through this programme, companies with sufficient capacity in management and control of strategic items are designated as "Internal Compliance Programme enterprises" and are provided a certain degree of autonomy in implementing export control and other related measures. In July 2013, the Foreign Trade Act was amended to also include universities and research institutes in the Internal Compliance Programme.

F. Control of intangible transfer of technology

29. With a view to addressing the threats posed by the proliferation of weapons of mass destruction-related technologies that are transferred via electronic means or personal contacts, the Government amended the Foreign Trade Act in 2013 to tighten controls on intangible transfer of technology relating to weapons of mass destruction and their means of delivery. Under the amended Act, which will come into force as of January 2014, government licences will be required for all cases where technologies related to strategic items are transferred overseas, or where a Republic of Korea national, whether in the Republic of Korea or in a foreign country, engages in the transfer of such technologies to foreign nationals.

4. Paragraphs 7 and 8 (a)

7. Recognizes that some States may require assistance in implementing the provisions of this resolution within their territories and invites States in a position to do so to offer assistance as appropriate in response to specific requests to the States lacking the legal and regulatory infrastructure, implementation experience and/or resources for fulfilling the above provisions;

8. Calls upon all States:

(a) To promote the universal adoption and full implementation, and, where necessary, strengthening of multilateral treaties to which they are parties, whose aim is to prevent the proliferation of nuclear, biological or chemical weapons;

30. Since joining the Global Partnership against the Spread of Weapons and Materials of Mass Destruction in June 2004, the Republic of Korea has made a financial contribution of $6.3 million to various joint projects aimed at strengthening the non-proliferation of weapons of mass destruction and the control of weapons of mass destruction-related materials. These projects include, inter alia, strengthening the physical protection of nuclear facilities, dismantling used nuclear submarines, preventing nuclear smuggling and enhancing biosecurity.

31. The Nuclear Safety and Security Commission and the Korea Institute of Nuclear Non-proliferation and Control have been cooperating on a bilateral basis with Governments in the Asia-Pacific region and those Governments seeking to build nuclear plants. Such cooperation includes providing training, technical cooperation and advisory services on export control and nuclear security. The

Republic of Korea plans to develop the International Nuclear Security Academy, a centre of excellence on nuclear security, which will open in February 2014 in Daejeon, Republic of Korea, into a regional hub of education and training in nuclear security, export control and nuclear safeguards.

32. Since 2011, the Ministry of Trade, Industry and Energy and the Korea Strategic Trade Institute have co-hosted annual outreach events on export control, with a view to raising awareness and fostering a sound culture among relevant government agencies, industry, academia and the public through joint seminars, exhibitions and award ceremonies.

33. In March 2012, the Seoul Nuclear Industry Summit and the Seoul Nuclear Security Symposium were held as side events of the 2012 Seoul Nuclear Security Summit, with the objective of promoting public awareness on the issue of nuclear security. The Republic of Korea plans to hold another international symposium on nuclear security in February 2014, on the occasion of the opening of the International Nuclear Security Academy.

5. Paragraph 8 (a), (b) and (c)

8. Calls upon all States:

(a) To promote the universal adoption and full implementation, and, where necessary, strengthening of multilateral treaties to which they are parties, whose aim is to prevent the proliferation of nuclear, biological or chemical weapons;

(b) To adopt national rules and regulations, where it has not yet been done, to ensure compliance with their commitments under the key multilateral non-proliferation treaties;

(c) To renew and fulfil their commitment to multilateral cooperation, in particular within the framework of the International Atomic Energy Agency, the Organization for the Prohibition of Chemical Weapons and the Biological and Toxin Weapons Convention, as important means of pursuing and achieving their common objectives in the area of non-proliferation and of promoting international cooperation for peaceful purposes;

34. The Republic of Korea has been actively participating in international efforts to promote the adoption, full implementation and strengthening of multilateral treaties on the non-proliferation of weapons of mass destruction. The Republic of Korea has been strongly committed to efforts to strengthen the Nuclear Non-proliferation Treaty regime, to facilitate the early entry into force of the Comprehensive Nuclear-Test-Ban Treaty, and to bring about the early commencement of the negotiations on the fissile material cut-off treaty. The Republic of Korea is taking part in the Group of Eminent Persons to facilitate the entry into force of the Comprehensive Nuclear-Test-Ban Treaty, which was launched in September 2013. The Republic of Korea and the United Nations co-chaired the High-level Meeting on Countering Nuclear Terrorism, with a Specific Focus on Strengthening the Legal Framework, held in New York on 28 September 2012.

35. The Government of the Republic of Korea obtained the National Assembly's approval for the ratification of the 2005 Amendment to the Convention on the Physical Protection of Nuclear Material and of the International Convention for the

Suppression of Acts of Nuclear Terrorism in December 2011. Once the amendment of the Act on Physical Protection and Radiological Emergency is completed (see para. 4 above), the Government will deposit its instruments of ratification of these Conventions with IAEA and the United Nations.

36. The Republic of Korea has been holding annual bilateral consultations with IAEA regarding technical cooperation on nuclear security since 2003. It has also made financial contributions to the IAEA Nuclear Security Fund since 2002, providing $1 million in 2012 and in 2013.

37. The Government of Korea is also closely cooperating with the United Nations and the Organization for the Prohibition of Chemical Weapons in the ongoing efforts to eliminate the Syrian Arab Republic's chemical weapons, pursuant to Security Council resolution 2118 (2013). In October 2013, the Government pledged a financial contribution of $1 million to the trust fund created by the secretariat of the Organization for the Prohibition of Chemical Weapons to support its activities relating to the destruction of the Syrian Arab Republic's chemical weapons.

6. Paragraphs 9 and 10

9. Calls upon all States to promote dialogue and cooperation on non-proliferation so as to address the threat posed by proliferation of nuclear, chemical or biological weapons, and their means of delivery;

10. Further to counter that threat, calls upon all States, in accordance with their national legal authorities and legislation and consistent with international law, to take cooperative action to prevent illicit trafficking in nuclear, chemical or biological weapons, their means of delivery, and related materials;

38. In May 2007, the Republic of Korea joined the Global Initiative to Combat Nuclear Terrorism and has since been actively participating in its activities to strengthen global capacity to prevent nuclear terrorism. As a part of these efforts, the Republic of Korea hosted the plenary meeting of the Global Initiative to Combat Nuclear Terrorism and the Implementation Assessment Group in June 2011. At the eighth plenary meeting of the Initiative, held in May 2013 in Mexico City, the Republic of Korea was elected Coordinator of the Implementation Assessment Group for the period from 2013 to 2015.

39. The Republic of Korea hosted the Seoul Nuclear Security Summit on 26 and 27 March 2012, where 53 Heads of State and the representatives of the United Nations, IAEA, the European Union and the International Criminal Police Organization (INTERPOL) came together to reaffirm their political commitment at the highest level and adopted the Seoul Communiqué, which sets out concrete steps and practical measures to strengthen nuclear and radiological security.

40. Since joining the Proliferation Security Initiative in 2009, the Republic of Korea has placed high policy priority on advancing the objectives of the Initiative, and has been actively participating in its activities. In 2010, the Government of the Republic of Korea hosted its first maritime interdiction exercise, "Eastern Endeavour 10", and a regional Proliferation Security Initiative workshop. In September 2012, the Republic of Korea hosted the annual Operational Experts Group meeting in Seoul and its second maritime exercise, "Eastern Endeavour 12", in the high seas near Busan.

41. At the high-level political meeting marking the tenth anniversary of the Proliferation Security Initiative, held in Warsaw on 28 May 2013, in which the Republic of Korea participated as one of the session chairs, the Republic of Korea announced that it will participate in the regional interdiction exercise rotation among six Asia-Pacific countries, namely the Republic of Korea, the United States of America, Japan, Australia, New Zealand and Singapore, and will be hosting its third maritime interdiction exercise in 2019. The introduction of the exercise rotation system is expected to facilitate effective cooperation and enhance joint interdiction capabilities among regional partners in the Asia-Pacific region.

42. In May 2012, the Republic of Korea hosted the Conference on Financing of the Proliferation of Weapons of Mass Destruction in Seoul, where more than 60 experts from 14 Asia-Pacific States, panels of experts of Security Council sanctions committees and the Financial Action Task Force gathered to discuss effective ways to combat weapons of mass destruction proliferation financing.

43. The Republic of Korea has been co-hosting the United Nations-Republic of Korea Joint Conference on Disarmament and Non-proliferation Issues annually since 2002. The twelfth Conference, on "Non-proliferation Regime in the Twenty-first Century: Challenges and the Way Forward", to be held on 14 and 15 November 2013, will focus on ways to enhance the full and universal implementation of Security Council resolution 1540 (2004) in the years ahead.

United Nations S/AC.44/2013/20

Security Council

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Letter dated 2 October 2013 from the Permanent Representative of Georgia to the United Nations addressed to the Chair of the Committee

I have the honour to transmit herewith the information[1] regarding the implementation of United Nations Security Council resolution 1540 (2004) prepared by the Government of Georgia in response to the Committee's letter of 27 February 2013 (reference: S/AC.44/2013/OC.5).

(*Signed*) Kaha **Imnadze**
Ambassador
Permanent Representative

[1] This report includes a matrix as submitted by Georgia, which will appear in English only, the original language of submission, as agreed by the Committee.

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Annex to the letter dated 2 October 2013 from the Permanent Representative of Georgia to the United Nations addressed to the Chair of the Committee

Information regarding the implementation of Security Council resolution 1540 (2004)

Legislative basis

The export, import, re-export and transit of weapons, related materials and means of their delivery and dual-use goods are regulated by the following legal acts:

- Law of Georgia on Weapons;
- Law of Georgia on the Export and Import of Weapons, Military Equipment and Dual-Use Materials;
- Law of Georgia on Licences and Permits;
- Law of Georgia on Nuclear and Radiation Safety;
- Criminal Code of Georgia;
- Code of Administrative Offences of Georgia;
- Decree No. 304 of the President of Georgia, issued on 15 July 2000, on the List of Military Items Subject to Export Control;
- Decree No. 408 of the President of Georgia, issued on 22 September 2002, on Certain Measures for the Settlement of Issues on Export, Import, Re-export and Transit of Dual-Use Items Subject to Export Control;
- Decree No. 415 of the President on the National Response Plan on Natural and Man-Made Emergency Situations of 26 August 2008;
- Decree No. 424 of the President on Certain Measures for Export Control of Dual-Use Materials (Technologies, Equipment, Services) of 4 July 1999;
- Resolution No. 397 of the Government of Georgia on Rules on Joint Emergency Response upon Discovery of Nuclear and Radioactive Substances at Checkpoints, Airports, Ports and in the Sea of Georgia of 24 December 2010;
- Order No. 1-1/1562 of the Minister of Economy and Sustainable Development on Technical Regulations on Rules on the Transportation of Goods by Vehicles of 18 July 2011;
- Order No. 8 of the Minister of Environment on the Statute of the Department for Nuclear and Radiation Safety of the Ministry of Environment and Natural Resources Protection of Georgia of 10 May 2013.

International conventions

Georgia has ratified a number of international conventions:

- Convention on Early Notification of a Nuclear Accident — entry into force 5 November 2010
- Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management — entry into force 20 October 2009

- International Convention for the Suppression of Acts of Nuclear Terrorism — ratified in 2010

Bilateral agreements

- Agreement between Georgia and the International Atomic Energy Agency (IAEA) for the Application of Safeguards in Connection with the Treaty on the Non-Proliferation of Nuclear Weapons — entry into force 3 June 2003
- Protocol Additional to the Agreement between the Republic of Georgia and IAEA for the Application of Safeguards in Connection with the Treaty on the Non-Proliferation of Nuclear Weapons — entry into force 3 June 2003
- Agreement between Georgia and the United States of America on Cooperation to Counteract Illicit Trafficking of Nuclear and Radioactive Materials
- Agreement between Georgia and the United States of America on Cooperation to Enhance the Security of Georgia's Sources of Radiation
- Agreement between Georgia and the United States of America on Cooperation to Counteract Proliferation of Weapons of Mass Destruction and Strengthen Defence and Military Relations
- Agreement between Georgia and the United States of America on Assistance in the Establishment of a System of Export Control to Counteract Proliferation of Weapons of Mass Destruction in Georgia
- Agreements on fighting terrorism

Georgia has concluded international agreements with Armenia, Austria, Azerbaijan, Belarus, Bulgaria, Egypt, Estonia, France, Hungary, Italy, Kazakhstan, Latvia, Malta, Moldova, Poland, Romania, Turkey, Ukraine, the United Kingdom and Uzbekistan in the field of combating crime and police cooperation that also provide for cooperation in the sphere of nuclear smuggling.

Furthermore, the Department for the Defence of the State Boundaries of Georgia and the Department of Defense of the United States of America have concluded an agreement on support to Georgia in the elaboration of an export control system for the prevention of the proliferation of weapons of mass destruction.

Institutional framework

The functions of the permanent Interagency Committee for Military-Technical Issues under the supervision of the National Security Council of Georgia were delegated to the Ministry of Defence of Georgia under Presidential Decree No. 847, issued on 24 October 2005, on "Certain Measures for the Settlement of Military-Technical Activities". Since the end of 2005 the Standing Commission on Military-Technical Issues and an Interagency Expert Group has been operating at the Ministry of Defence.

The Commission coordinates the control of export, import, re-export and transit of weapons, military equipment and related materials and their means of delivery and dual-use items as prescribed in the national control lists and elaborates recommendations and conclusions in this field.

The Interagency Expert Group was established to monitor and examine the issues that must be reviewed at the sessions of the Commission. The Expert Group is composed of representatives from the various governmental agencies, such as: Ministry of Finance (Customs Department); Ministry of Internal Affairs; Ministry of Foreign Affairs; Ministry of Justice; Ministry of Economy and Sustainable Development; and Ministry of Environment and Natural Resources Protection. The Military-Technical Commission takes into consideration the conclusions of experts made within the scope of their competence.

In 2008 the responsibility for granting licences for manufacturing, repairing and trading weapons and related equipment, as well as permits for the import, export, re-export and transit of weapons and related materials for legal entities of public law was transferred from the Ministry of Justice to the Ministry of Defence, which issues licences and permits on the basis of the recommendations of the Military-Technical Commission. These recommendations are also the basis for granting import, export, re-export and transit permits for the strategic dual-use products for the Ministry of Finance (Revenue Service).

The Commission and Expert Group perform their duties in full compliance with the country's international obligations, taking into account the commitment of Georgia, as a State Member of the United Nations, to the implementation of Security Council resolutions.

The Ministry of Defence is the initiator for updating the legal framework for Georgia's export controls. In close cooperation with European Union experts, within the framework of the European Union outreach programme and the Export Control and Related Border Security Program of the United States Department of State within the framework of the Georgia-United States Strategic Partnership, Georgia has finalized a draft of the Law on the Control of Military and Dual-Use Items.

The final draft of the law includes new provisions that are in compliance with European Union standards, such as a "catch all clause", "intangible transfers" and "technical assistance", related to the repair, development and manufacture of military and dual-use items. In addition, the elaboration of the secondary legislation, including the "List of Military Products Falling Under Export Control", is ongoing, in full compliance with the Common Military List of the European Union.

The adoption and implementation of appropriate legislation will significantly enhance the effectiveness of national export controls, which represent one of the main tools for non-proliferation. It is one step forward towards implementation of the Security Council resolutions that call upon all Member States to adopt and enforce appropriate laws and regulations preventing and prohibiting the proliferation of weapons of mass destruction, related materials and means of their delivery.

Non-proliferation, border control and maritime security

The Ministry of Internal Affairs of Georgia pays particular attention to the issues of radiation security. The aim is to prevent the smuggling of radioactive materials through Georgian borders. At present, all major road, sea, railroad and air border checkpoints are fully equipped with radiation-detection equipment. In the areas of nuclear non-proliferation and radiation security, Georgia's main partner is the United States.

It is noteworthy that through the projects of the United States Department of Energy and the Department of Defense, the Ministry of Internal Affairs of Georgia has received technical equipment (radiation detection pagers, hand-held equipment, survey meters and identifiers and vans with radiation detection monitors), and police officers have received specialized training.

Currently, there are several successful ongoing projects in the radiation security area, including the Defense Threat Reduction Agency and the Export Control and Border Security programme. Within the framework of the projects, Ministry of Internal Affairs employees are trained to improve the professional skills of law enforcement officers to detect, investigate and carry out special operations with regard to the transport of prohibited substances and dual-use (controlled) technology.

The Government of the United States has made significant contributions to the development of the Coast Guard, and with United States support, Coast Guard bases and stations were built and equipped. Georgia received vessels, computers and communications and other types of equipment. English-language laboratories were created at the Poti and Batumi bases.

All road, sea, railroad and air border checkpoints are fully equipped with radiation detection equipment, provided by the United States Department of Energy. Police officers as well as customs officials have been trained in appropriate procedures. Video control (CCTV) cameras at border checkpoints are connected to the central database, allowing for 24/7 control. The Personal Identification and Registration System is installed at all border checkpoints.

The United States Defense Threat Reduction Agency and the Army Europe Command jointly launched a new project that aims to improve land and maritime capacity in combating weapons of mass destruction and smuggling of radioactive materials.

Georgia continued close cooperation with United States Government agencies on a wide range of counter-terrorism-related issues, as was stressed in the United States Department of State 2012 Country Report on Terrorism on Georgia. Georgia's participation in cross-border exercises was assessed in the Country Report as a successful demonstration of Georgia's internal, bilateral and international notification and response procedures for the detection and interdiction of illicit trans-border movements of weapons of mass destruction.

Chemical, biological, radiological and nuclear security

The trafficking and criminal use of chemical, biological, radiological and nuclear (CBRN) materials and weapons is one of the main challenges on the international agenda. To address this emerging threat, the European Union, with the United Nations Interregional Crime and Justice Research Institute (UNICRI) and the European Commission Joint Research Centre as implementing bodies, initiated a project, "CBRN centres of excellence".

The CBRN centres of excellence are a network of regional initiatives dedicated to improving national policies and international cooperation in the area of CBRN risk mitigation through identification and coordination of CBRN capacities at the international, regional and local levels; allocation and optimization of CBRN responses that are needed in terms of expertise, training, technical assistance,

equipment collection and analysis of CBRN data; and implementation of national and regional projects in close coordination with other international initiatives.

In 2012, under the European Commission CBRN centres of excellence initiative, the Government of Georgia officially confirmed its readiness to participate in the implementation of the project and to establish the CBRN Secretariat at the Academy of the Ministry of Internal Affairs of Georgia. The CBRN Secretariat is the only Regional Centre not only in the region, but also in the whole of South-East Europe (Albania, Armenia, Bosnia and Herzegovina, Croatia, Georgia, Moldova, Montenegro, Serbia, the former Yugoslav Republic of Macedonia and Ukraine). The Secretariat will collect projects related to CBRN issues, analyse them and submit them to the European Union for financing. It will promote frequent interactions between national focal points of the partner countries in the preparation of project proposals. It should be emphasized that the implementing agencies of the initiative are UNICRI and the European Commission Joint Research Centre.

The head of the CBRN Secretariat is a representative of Georgia; the technical administrator of the Centre is a representative of UNICRI. The Secretariat cooperates closely with the national CBRN team, which was established as an advisory board of the Emergency Management Department of the Ministry of Internal Affairs and is composed of national experts in this field.

The technical procedures in relation to the opening of the Secretariat have been accomplished and the Secretariat was opened on 9 July 2013.

In order to facilitate comprehensive management of CBRN-related risks, a decision was taken to elaborate the National CBRN Strategy of Georgia. In accordance with the relevant governmental decree, the national CBRN team was tasked with elaborating the strategy, with the Ministry of Internal Affairs, as the lead agency in the field, playing an overall coordinating and management role in the elaboration process. The National CBRN Strategy of Georgia was elaborated in April 2013.

National measures

In order to implement the Security Council resolutions more comprehensively (especially 1269 (1999) and 1373 (2001) and the relevant subsequent resolutions on combating terrorism), in December 2011 the Government of Georgia established an Interagency Commission on Implementation of United Nations Security Council Resolutions. The Commission conducts its work in three major areas: freezing of asset; travel bans; and arms embargoes on individuals and entities designated in Security Council resolutions.

The Commission is itself authorized to file a motion with the court to freeze the assets of persons designated in Security Council resolutions, while the arms embargoes and travel bans are implemented by the special task force established by the Commission.

The task force is mandated to decide issues related to restrictions on the freedom of movement of persons and the issuance of permits for the import, export, re-export, transit and temporary import and/or export of goods subject to export and import controls in line with the Security Council resolutions. The task force is composed of representatives from the Ministry of Foreign Affairs, the Ministry of Internal Affairs, the Ministry of Defence and the Ministry of Economy and Sustainable Development. The Ministry of Internal Affairs of Georgia is entrusted with the responsibility to

enforce travel bans on those individuals who are designated as terrorists in the United Nations consolidated list of terrorists.

The establishment of the above-mentioned commission was assessed in the United States 2012 Country Report on Terrorism on Georgia as a successful measure for freezing the assets of individuals or entities on the consolidated list.

Finally, it is noteworthy to mention that Georgia received improved scores in the 2012 assessment report of the International Monetary Fund (IMF) with regard to money laundering and the financing of terrorism, which was also emphasized in the 2012 Country Report.

Professional trainings

A number of trainings were conducted on weapons of mass destruction for the staff of the Ministry of Internal Affairs.

- In 2012 training courses on combating terrorism and human rights were organized by the Organization for Security and Cooperation in Europe (OSCE) for the officers of the Counter-terrorist Centre, and a number of training courses were organized for the relevant officers of the Ministry of Internal Affairs of Georgia by the United States Defense Threat Reduction Agency within the Department of Defense International Counter-Proliferation Program.

- The Defense Threat Reduction Agency, within the International Counter-Proliferation Program, organized a course on the care and repair of equipment on 23 and 24 January 2012 at the Academy of the Ministry of Internal Affairs The main aim was to train the relevant officers of the Ministry in the field of care and repair of the detectors of weapons of mass destruction supplied in previous years and the use of protective clothing. During the course, the participants discussed theoretical and practical aspects of the use and repair of the devices. Eleven employees from the Centre of Special Operations, the Emergency Measures Department and the Border Police of Georgia took part in the trainings.

- From 5 to 8 November 2012, the Defense Threat Reduction Agency organized a training on the following topic: "Weapons of mass destruction: border security and prohibition". During the course different crucial issues were discussed: the importance of prohibiting weapons of mass destruction from entering the borders of a county; the importance of risk determination through interdepartmental collaboration; ensuring the security of land, marine and air borders by law enforcement departments; and other issues. Fourteen employees of the Ministry of Internal Affairs participated in the training course.

- From 22 to 26 October 2012, the Defense Threat Reduction Agency organized the second stage of the training course on the following topic: "Research analysis of the principal weapons of mass destruction". The first stage of the course was organized in 2010. The main issues of the course were: collection and processing of information; use of collection centres; development and use of effective briefings and written reports. The analytical graphic software RFFlow was presented. Thirteen employees of the Ministry of Internal Affairs participated in the training.

- From 7 to 11 May 2012, at the North Atlantic Treaty Organization (NATO) School in Oberammergau, Germany, one employee of the Ministry of Internal Affairs participated in the NATO Chemical-Biological-Radiological and Nuclear Defense Orientation Study.
- From 20 to 22 March 2013, "Countering weapon of mass destruction threats in the marine environment — Development of technologies and modelling of risks" was organized by NATO in Riga. Representatives from the Border Police of the Ministry of Internal Affairs of Georgia participated in the training.
- From 26 to 29 March 2013, "The investigation of non-proliferation of weapons of mass destruction and controlled technologies" was organized in Batumi. Twenty-five representatives from the following agencies of the Ministry of Internal Affairs participated in this programme: Patrol Police Department (five employees); Counter-terrorist Centre (one employee); Anti-corruption Agency (one employee); State Security Agency (two employees); Central Criminal Police (five employees); Counterintelligence Department (three employees); Coast Guard (three employees); Land Border Guards (three employees); Special and Emergency Measures Centre (two employees).

Patrol Police Department

The implementation of nuclear and radiation controls falls under the power of the Patrol Police Department of the Ministry of Internal Affairs of Georgia. In accomplishing the above-mentioned tasks, the Department is guided by the Implementation Agreement of 2005 between the Ministry of Internal Affairs of Georgia and the United States Department of Energy "On preventing illegal trafficking of nuclear and radioactive materials" and by the Law of Georgia on "Nuclear and radiation security". In addition, in order to make detection of radioactive materials more effective at Georgia's border checkpoints, in 2010 the Government of Georgia adopted resolution No. 397 "On the approval of the rules for joint action in case of detection of radioactive materials at border checkpoints, at airports, at ports or in maritime areas".

Within the second line of defence programme between the United States Department of Energy and the Ministry of Internal Affairs of Georgia, for the purpose of controlling the movement of nuclear and radioactive materials at the State's borders, the border checkpoints of Georgia were fully equipped with local radiation detection systems, i.e., stationary radiation portals. Central alarm systems collect the information flow from the portals and process the data for the operators of the central alarm stations, allowing them to monitor the technical functioning of the local systems. In addition, the employees of the Patrol Police Department at the border checkpoints are equipped with hand pagers, personal radiation detectors and radioactive isotope detectors. Within the framework of the above-mentioned programme, the Patrol Police Department is equipped on the whole territory of Georgia with a mobile system for the detection of radioactive materials. National communications systems were also established to unite the local and mobile systems in a single network.

13-60174

Enclosure

OP 1 and related matters from OP 5, OP 6, OP 8 (a), (b), (c) and OP 10

State: **Georgia**

Date of report: 2013

	Did you make one of the following statements or is your country a State Party to or Member State of one of the following Conventions, Treaties and Arrangements?	*YES*	*If YES, indicate relevant information (i.e. signing, accession, ratification, entering into force, etc.)*	*Remarks (information refers to the page of the English version of the report or an official website)*
1	General statement on non-possession of WMD			
2	General statement on commitment to disarmament and non-proliferation			
3	General statement on non-provision of WMD and related materials to non-State actors			
4	Biological Weapons Convention (BWC)	X	Accession 22/5/1996	http://www.un.org/disarmament/WMD/Bio/
5	Chemical Weapons Convention (CWC)	X	Signature 14/1/1993, ratification 27/11/1995, entry into force 29/4/1997	http://www.opcw.org/about-opcw/member-states/
6	Nuclear Non-Proliferation Treaty (NPT)	X	Accession, 7/3/1994	http://disarmament.un.org/treaties/t/npt
7	Comprehensive Nuclear-Test-Ban Treaty (CTBT)	X	Signature 24/9/1996, ratification 27/9/2002	http://www.ctbto.org/the-treaty/status-of-signature-and-ratification/
8	Convention on Physical Protection of Nuclear Material (CPPNM)	X	Accession, entry into force: 7/10/2006	http://www.iaea.org/Publications/Documents/Conventions/cppnm_status.pdf
9	Hague Code of Conduct (HCOC)	X	Subscribed	http://www.hcoc.at/subscribstates.php

The information in the matrices originates primarily from national reports and is complemented by official government information, including that made available to inter-governmental organizations. The matrices are prepared under the direction of the 1540 Committee.

The 1540 Committee intends to use the matrices as a reference tool for facilitating technical assistance and to enable the Committee to continue to enhance its dialogue with States on their implementation of Security Council resolution 1540.

The matrices are not a tool for measuring compliance of States with their non-proliferation obligations but for facilitating the implementation of Security Council resolutions 1540 and 1673. They do not reflect or prejudice any ongoing discussions outside of the Committee, in the Security Council or any of its organs, of a State's compliance with its non-proliferation or any other obligations.

10	Geneva Protocol of 1925			
11	International Atomic Energy Agency (IAEA)	X	Since 1996	http://www.iaea.org/About/Policy/MemberStates/
12	Nuclear-Weapon-Free Zone/Protocol(s)			
13	Other conventions/treaties			
14	Other arrangements	X	Proliferation Security Initiative (PSI). Global Initiative to Combat Nuclear Terrorism (GICNT). Nuclear Smuggling Outreach Initiative (NSOI) — engaged since 2006; joint action plan signed, 2007; Addendum signed, 2009. International Convention for the Suppression of Acts of Nuclear Terrorism — ratified in 2010	http://www.psi-online.info/Vertretung/psi/en/03-endorsing-states/0-PSI-endorsing-states.html; http://www.gicnt.org/partners.htm; http://www.nsoi-state.net/bilateralpartnersengaged/georgia.asp. http://treaties.un.org/Pages/ViewDetailsIII.aspx?&src=UNTSONLI
15	Other	X	1. Georgia-United States of America Agreement on Cooperation to Counteract Illicit Trafficking of Nuclear and Radioactive Materials; 2. Georgia-USA Agreement on Cooperation to Enhance the Security of Georgia's Radioactive Sources; 3. Georgia-United States of America Agreement on Cooperation to Counteract WMD Proliferation and Strengthen Defence and Military Relations; 4. Georgia-United States of America Agreement on Assistance in Establishment of a System of Export Control to Counteract WMD Proliferation in Georgia; 5. Agreements on Fighting Terrorism.	

OP 2 — Biological Weapons (BW)

State: **Georgia**

Date of report: 2013

Does national legislation exist which prohibits persons or entities to engage in one of the following activities? Can violators be penalized?		*National legal framework*		*Enforcement: civil criminal penalties and others*		*Remarks*
		YES	*If YES, indicate source document of national implementation law*	*YES*	*If YES, indicate source document*	
1	Manufacture/produce					
2	Acquire					
3	Possess					
4	Stockpile/store					
5	Develop					
6	Transport					
7	Transfer					
8	Use					
9	Participate as an accomplice in a.m. activities					
10	Assist in a.m. activities					
11	Finance a.m. activities	X	Law on Guarantees and Promotion of the Activities of Investment, Art. 9			
12	A.m. activities related to means of delivery					
13	Involvement of non-State actors in a.m. activities					
14	Other					

OP 2 — Chemical Weapons (CW)

State: **Georgia**

Date of report: 2013

Does national legislation exist which prohibits persons or entities to engage in one of the following activities? Can violators be penalized?		*National legal framework*		*Enforcement: civil criminal penalties and others*		*Remarks*
		YES	*If YES, indicate source document of national implementation law*	*YES*	*If YES, indicate source document*	
1	Manufacture/produce					
2	Acquire					
3	Possess					
4	Stockpile/store					
5	Develop					
6	Transport					
7	Transfer					
8	Use					
9	Participate as an accomplice in a.m. activities					
10	Assist in a.m. activities					
11	Finance a.m. activities	X	Law on Guarantees and Promotion of the Activities of Investment, Art. 9			
12	A.m. activities related to means of delivery					
13	Involvement of non-State actors in a.m. activities					
14	Other					

OP 2 — Nuclear Weapons (NW)

State: **Georgia**

Date of report: 2013

Does national legislation exist which prohibits persons or entities to engage in one of the following activities? Can violators be penalized?		*National legal framework*		*Enforcement: civil criminal penalties and others*		*Remarks*
		YES	*If YES, indicate source document of national implementation law*	*YES*	*If YES, indicate source document*	
1	Manufacture/produce	X	Nuclear and Radiation Safety Law, Art. 44	X		
2	Acquire			X		
3	Possess	X	Nuclear and Radiation Safety Law, Art. 44	X		
4	Stockpile/store			X		
5	Develop					
6	Transport			X		
7	Transfer	X	Nuclear and Radiation Safety Law, Art. 44	X		
8	Use			X		
9	Participate as an accomplice in a.m. activities					
10	Assist in a.m. activities	X	Nuclear and Radiation Safety Law, Art. 44	X		
11	Finance a.m. activities	X	Law on Guarantees and Promotion of the Activities of Investment, Art. 9			
12	A.m. activities related to means of delivery					
13	Involvement of non-State actors in a.m. activities			X		
14	Other	X	Nuclear and Radiation Safety Law, Art. 44	X		

OP 3 (a) and (b) — Account for/Secure/Physically protect BW including Related Materials

State: **Georgia**

Date of report: 2013

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect BW and Related Materials? Can violators be penalized?		*National legal framework*		*Enforcement: civil criminal penalties, and others*		*Remarks*
		YES	*If YES, indicate source document*	*YES*	*If YES, indicate source document*	
1	Measures to account for production					
2	Measures to account for use					
3	Measures to account for storage					
4	Measures to account for transport					
5	Other measures for accounting					
6	Measures to secure production					
7	Measures to secure use					
8	Measures to secure storage					
9	Measures to secure transport					
10	Other measures for securing					
11	Regulations for physical protection of facilities/ materials/transports					
12	Licensing/registration of facilities/persons handling biological materials					
13	Reliability check of personnel					
14	Measures to account for/secure/ physically protect means of delivery					
15	Regulations for genetic engineering work					

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect BW and Related Materials? Can violators be penalized?		*National legal framework*		*Enforcement: civil criminal penalties, and others*		*Remarks*
		YES	*If YES, indicate source document*	*YES*	*If YES, indicate source document*	
16	Other legislation/regulations related to safety and security of biological materials					
17	Other					

OP 3 (a) and (b) — Account for/Secure/Physically protect CW including Related Materials

State: **Georgia**

Date of report: 2013

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect CW and Related Materials? Can violators be penalized?		*National legal framework*		*Enforcement: civil criminal penalties, and others*		*Remarks*
		YES	*If YES, indicate source document*	*YES*	*If YES, indicate source document*	
1	Measures to account for production					
2	Measures to account for use					
3	Measures to account for storage					
4	Measures to account for transport					
5	Other measures for accounting					
6	Measures to secure production					
7	Measures to secure use					
8	Measures to secure storage					
9	Measures to secure transport					
10	Other measures for securing					
11	Regulations for physical protection of facilities/ materials/transports					
12	Licensing of chemical installations/entities/use of materials					
13	Reliability check of personnel					
14	Measures to account for/secure/ physically protect means of delivery					
15	National CWC authority					
16	Reporting Schedule I, II and III chemicals to OPCW					

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect CW and Related Materials? Can violators be penalized?		*National legal framework*		*Enforcement: civil, criminal penalties, and others*		
		YES	*If YES, indicate source document*	*YES*	*If YES, indicate source document*	*Remarks*
17	Account for, secure or physically protect old chemical weapons					
18	Other legislation/regulations controlling chemical materials					
19	Other					

OP 3 (a) and (b) — Account for/Secure/Physically protect NW including Related Materials

State: **Georgia**

Date of report: 2013

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect NW and Related Materials? Can violators be penalized?		*National legal framework*		*Enforcement: civil, criminal penalties, and others*		*Remarks*
		YES	*If YES, indicate source document*	*YES*	*If YES, indicate source document*	
1	Measures to account for production	X	INFCIRC/617; Nuclear and Radiation Safety Law, Art. 45			http://www.iaea.org/Publications/Documents/Infcircs/2003/infcirc617.pdf
2	Measures to account for use	X				
3	Measures to account for storage	X				
4	Measures to account for transport	X				
5	Other measures for accounting	X	Nuclear and Radiation Safety Law, Arts. 23 and 48			
6	Measures to secure production	X	Nuclear and Radiation Safety Law	X		
7	Measures to secure use	X		X		
8	Measures to secure storage	X		X		
9	Measures to secure transport	X	1. Nuclear and Radiation Safety Law, Art. 37 2. Order No. 1-1/1562 of the Minister of Economy and Sustainable Development on Technical Regulation on Rules on Transportation of Goods by Vehicles of 18/7/2011	X		
10	Other measures for securing	X	Nuclear and Radiation Safety Law	X		
11	Regulations for physical protection of facilities/ materials/transports	X	Nuclear and Radiation Safety Law	X		
12	Licensing of nuclear installations/entities/use of materials	X	Nuclear and Radiation Safety Law, Art. 16	X		

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect NW and Related Materials? Can violators be penalized?		*National legal framework*		*Enforcement, civil criminal penalties, and others*		*Remarks*
		YES	*If YES, indicate source document*	*YES*	*If YES, indicate source document*	
13	Reliability check of personnel					
14	Measures to account for/secure/ physically protect means of delivery	X	INFCIRC/617; Nuclear and Radiation Safety Law			
15	National regulatory authority	X	Department for Nuclear and Radiation Safety, Ministry of Environment and Natural Resources Protection of Georgia 1. Nuclear and Radiation Safety Law, Arts. 6-10 2. Decree No. 415 of the President on National Response Plan on Natural and Man-Made Emergency Situations of 26/8/2008 3. Order No. 8 of the Minister of Environment on Statute of the Department for Nuclear and Radiation Safety of the Ministry of Environment and Natural Resources Protection of Georgia of 10/5/2013			
16	IAEA Safeguards Agreements	X	Agreement between Georgia and IAEA for the Application of Safeguards in Connection with the Treaty on the Non-Proliferation of Nuclear Weapons, entry into force 3/6/2003; Additional Protocol, entry into force 3/6/2003	X		http://www.iaea.org/Publications/Documents/Infcircs/Countries/georgia.shtml
17	IAEA Code of Conduct on Safety and Security of Radioactive Sources	X	Political Statement in support of the Code of Conduct	X		http://www.iaea.org/Publications/Documents/Treaties/codeconduct_status.pdf

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect NW and Related Materials? Can violators be penalized?		*National legal framework*		*Enforcement: civil criminal penalties, and others*		*Remarks*
		YES	*If YES, indicate source document*	*YES*	*If YES, indicate source document*	
18	IAEA Database on Illicit Trafficking of Nuclear Materials and other Radioactive Sources	X	Contributes to the Database Programme			http://www.iaea.org/About/Policy/GC/GC44/GC44Documents/English/gc44-15_en.pdf
19	Other agreements related to IAEA	X	Convention on Early Notification of Nuclear Accident — entry into force 5/11/2010; Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management — entry into force 20/10/2009			http://www.iaea.org/Publications/Documents/Conventions/cenna_status.pdf; http://www.iaea.org/Publications/Documents/Conventions/jointconv_status.pdf
20	Additional national legislation/ regulations related to nuclear materials including CPPNM			X		
21	Other	X				

OP 3 (c) and (d) and related matters from OP 6 and OP 10 — Controls of BW including Related Materials

State: **Georgia**

Date of report: 2013

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export import and other transfers of BW and Related Materials? Can violators be penalized?		*National legal framework*		*Enforcement: civil criminal penalties, and measures of implementation, etc.*		*Remarks*
		YES	*If YES, indicate source document*	*YES*	*If YES, indicate source document*	
1	Border control	X	Law on "Control of import and export of armaments, military hardware and dual-use products"			
2	Technical support of border control measures					
3	Control of brokering, trading in, negotiating, otherwise assisting in sale of goods and technology					
4	Enforcement agencies/authorities					
5	Export control legislation in place	X	1. Law on Export and Import of Weapons, Military Equipment and Dual-Use Materials of 1/9/1998 2. Decree No. 408 of the President on Certain Measures for Settlement of Issues on port, Re-export and Transit of Dual-Use Materials Subject to Export Control of 22/9/2002 3. Decree No. 424 of the President on Certain Measures for Export Control of Dual-Use Materials (Technologies, Equipment, Service) of 4/7/1999			
6	Licensing provisions	X	Revenue Service Licence on the Import, Export and Transit of Dual-Use Products on the Basis of Recommendations of the Standing Commission of Military-Technical Issues of Ministry of Defence of Georgia			

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export import and other transfers of BW and Related Materials? Can violators be penalized?		*National legal framework*		*Enforcement: civil criminal penalties, and measures of implementation, etc.*		*Remarks*
		YES	*If YES, indicate source document*	*YES*	*If YES, indicate source document*	
7	Individual licensing	X	1. Law on "Control of import and export of armaments, military hardware and dual-use products" 2. Presidential Decree No. 408 of 22/9/2002 on "Some actions for resolving issues connected with the export, import, re-export and transit of dual-use products subject to export control" 3. Governmental Resolution No. 451 of 1/12/2011 on "Approving permit forms and rules for the issuance of permits for the export, import, re-export and transit of dual-use products subject to export control"			
8	General licensing					
9	Exceptions from licensing	X	Law on Licences and Permits			
10	Licensing of deemed export/visa					
11	National licensing authority	X	1. Law on Export and Import of Weapons, Military Equipment and Dual-Use Materials of 1/9/1998 2. Decree No. 408 of the President bon Certain Measures for Settlement of Issues on the Export, Re-export and Transit of Dual-Use Materials Subject to Export Control of 22/9/2002 3. Decree No. 424 of the President on Certain Measures for the Export Control of Dual-Use Materials (Technologies, Equipment, Service) of 4/7/1999	X		
12	Interagency review for licences	X		X		

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export import and other transfers of BW and Related Materials? Can violators be penalized?		*National legal framework*		*Enforcement: civil criminal penalties, and measures of implementation, etc.*		*Remarks*
		YES	*If YES, indicate source document*	*YES*	*If YES, indicate source document*	
13	Control lists	X	Law on Export and Import of Weapons, Military Equipment and Dual-Use materials of 1/9/1998 (a new law in terms of harmonization with the EU legislation is in its final stage of preparation)	X		
14	Updating of lists	X	List under Presidential Decree No. 408 on Certain Measures for Settlement of Issues on the Export, Re-export and Transit of Dual-Use Materials Subject to Export Control of 22/9/2002 (amended list in June 2011 and control list of dual-use materials partially harmonized with that of the EU)			
15	Inclusion of technologies	X	1. Law on Export and Import of Weapons, Military Equipment and Dual-Use Materials of 1998 2. Decree No. 424 of 4/7/1999 3. Decree No. 408 of the President on Certain Measures for Settlement of Issues on the Export, Import, Re-export and Transit of Dual-Use Materials Subject to Export Control of 22/9/2002			

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export import and other transfers of BW and Related Materials? Can violators be penalized?		*National legal framework*		*Enforcement: civil criminal penalties, and measures of implementation, etc.*		*Remarks*
		YES	*If YES, indicate source document*	*YES*	*If YES, indicate source document*	
16	Inclusion of means of delivery	X	1. Law on Export and Import of Weapons, Military Equipment and Dual-Use Materials of 1998 2. Presidential Decree No. 408 on Certain Measures for Settlement of Issues on the Export, Import, Re-export and Transit of Dual-Use Materials Subject to Export Control of 22/9/2002			
17	End-user controls	X	1. Law on Export and Import of Weapons, Military Equipment and Dual-Use Materials of 1998 2. Presidential Decree No. 408 on Certain Measures for Settlement of Issues on the Export, Import, Re-export and Transit of Dual-Use Materials Subject			
18	Catch all clause					
19	Intangible transfers					
20	Transit control	X	1. Law on Export and Import of Weapons, Military Equipment and Dual-Use Materials of 1998 2. Decree No. 408 of the President on Certain Measures for Settlement of Issues on the Export, Import, Re-export and Transit of Dual-Use Materials Subject to Export Control of 22/9/2002			
21	Trans-shipment control					

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of BW and Related Materials? Can violators be penalized?		*National legal framework*		*Enforcement: civil criminal penalties, and measures of implementation, etc.*		*Remarks*
		YES	*If YES, indicate source document*	*YES*	*If YES, indicate source document*	
22	Re-export control	X	1. Law on Export and Import of Weapons, Military Equipment and Dual-Use Materials of 1998 2. Decree No. 408 of the President on Certain Measures for Settlement of Issues on the Export, Import, Re-export and Transit of Dual-Use Materials Subject to Export Control of 22/9/2002			
23	Control of providing funds					
24	Control of providing transport services					
25	Control of importation	X	1. Law on Export and Import of Weapons, Military Equipment and Dual-Use Materials of 1998 2. Presidential Decree No. 408 on Certain Measures for Settlement of Issues on the Export, Import, Re-export and Transit of Dual-Use Materials Subject to Export Control of 22/9/2002			
26	Extraterritorial applicability					
27	Other					

OP 3 (c) and (d) and related matters from OP 6 and OP 10 — Controls of CW including Related Materials

State: **Georgia**

Date of report: 2013

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export import and other transfers of CW and Related Materials? Can violators be penalized?		*National legal framework*		*Enforcement: civil criminal penalties, and measures of implementation, etc.*		*Remarks*
		YES	*If YES, indicate source document*	*YES*	*If YES, indicate source document*	
1	Border control	X	Law on "Control of import and export of armaments, military hardware and dual-use products"			
2	Technical support of border control measures					
3	Control of brokering, trading in, negotiating, otherwise assisting in sale of goods and technology					
4	Enforcement agencies/authorities					
5	Export control legislation in place	X	1. Law on Export and Import of Weapons, Military Equipment and Dual-Use Materials of 1/9/1998 2. Presidential Decree No. 408 on Certain Measures for Settlement of Issues on the Export, Re-export and Transit of Dual-Use Materials Subject to Export Control of 22/9/2002 3. Presidential Decree No. 424 on Certain Measures for Export Control of Dual-Use Materials (Technologies, Equipment, Service), of 4/7/1999			

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of CW and Related Materials? Can violators be penalized?		*National legal framework*		*Enforcement: civil/criminal penalties, and measures of implementation, etc.*		*Remarks*
		YES	*If YES, indicate source document*	*YES*	*If YES, indicate source document*	
6	Licensing provisions	X	1. Law on "Control of import and export of armaments, military hardware and dual-use products" 2. Presidential Decree No. 408 on Certain Measures for Settlement of Issues on the Export, Re-export and Transit of Dual-Use Materials Subject to Export Control of 22/9/2002" 3. Governmental Resolution No. 451 of 1/12/2011 on "Approving permit forms and rules for the issuance of permits for the export, import, re-export and transit of dual-use products subject to export control" 4. Revenue Service Licence on Import, Export and Transit of Dual-Use Products on the Basis of Recommendation of the Standing Commission of Military-Technical Issues of the Ministry of Defence of Georgia.			

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export import and other transfers of CW and Related Materials? Can violators be penalized?		*National legal framework*		*Enforcement: civil criminal penalties, and measures of implementation, etc.*		*Remarks*
		YES	*If YES, indicate source document*	*YES*	*If YES, indicate source document*	
7	Individual licensing	X	1. Law on "Control of import and export of armaments, military hardware and dual-use products" 2. Presidential Decree No. 408 of 22 September 2002 on "Some actions for resolving issues connected with the export, import, re-export and transit of dual-use products subject to export control" 3. Governmental Resolution No. 451 of 1 /12/2011 on "Approving permit forms and rules for the issuance of permits for the export, import, re-export and transit of dual-use products subject to export control"			
8	General licensing					
9	Exceptions from licensing	X	Law on Licensing and Permits			
10	Licensing of deemed export/visa					
11	National licensing authority	X	1. Law on Export and Import of Weapons, Military Equipment and Dual-Use materials of 1 /9/1998 2. Decree No. 408 of the President on Certain Measures for Settlement of Issues on the Export, Re-export and Transit of Dual-Use Materials Subject to Export Control of 22/9/2002 3. Decree No. 424 of the President on Certain Measures for the Export Control of Dual-Use Materials (Technologies, Equipment, Service) of 4/7/1999	X		
12	Interagency review for licences	X		X		

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export import and other transfers of CW and Related Materials? Can violators be penalized?		*National legal framework*		*Enforcement: civil criminal penalties, and measures of implementation, etc.*		*Remarks*
		YES	*If YES, indicate source document*	*YES*	*If YES, indicate source document*	
13	Control lists	X	1. Law on Export and Import of Weapons, Military Equipment and Dual-Use Materials of 1/9/1998 (a new law in terms of harmonization with the EU legislation is in its final stage of preparation) 2. Presidential Decree No. 408 of 22/9/2002 on "Some actions for resolving issues connected with the export, import, re-export and transit of dual-use products subject to export control"	X		
14	Updating of lists	X	List under the Presidential Decree No. 408 on Certain Measures for Settlement of Issues on Export, Re-export and Transit of Dual-use Materials Subject to Export Control, of 22 September 2002 (Amended list in June 2011 and partially harmonized control list of Dual Use materials to that of the EU)			
15	Inclusion of technologies	X	1. Law on Export and Import of Weapons, Military Equipment and Dual-Use Materials of 1998 2. Presidential Decree No. 424 of 4/7/1999 3. Presidential Decree No. 408 on Certain Measures for Settlement of Issues on Export, Re-export and Transit of Dual-use Materials Subject to Export Control, of 22 September 2002			

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of CW and Related Materials? Can violators be penalized?		*National legal framework*		*Enforcement: civil/criminal penalties, and measures of implementation, etc.*		*Remarks*
		YES	*If YES, indicate source document*	*YES*	*If YES, indicate source document*	
16	Inclusion of means of delivery	X	1. Law on Export and Import of Weapons, Military Equipment and Dual-use materials of 1998 2. Decree No. 408 of the President on Certain Measures for Settlement of Issues on Export, Re-export and Transit of Dual-use Materials Subject to Export Control, of 22 September 2002			
17	End-user controls	X	1. Law on Export and Import of Weapons, Military Equipment and Dual-use materials of 1998 2. Presidential Decree No. 408 on Certain Measures for Settlement of Issues on Export, Re-export and Transit of Dual-Use Materials Subject to Export Control of 22/9/2002			
18	Catch all clause					
19	Intangible transfers					
20	Transit control	X	1. Law on Export and Import of Weapons, Military Equipment and Dual-use materials of 1998 2. Presidential Decree No. 408 on Certain Measures for Settlement of Issues on Export, Re-export and Transit of Dual-use Materials Subject to Export Control, of 22 September 2002			
21	Trans-shipment control					

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export import and other transfers of CW and Related Materials? Can violators be penalized?		*National legal framework*		*Enforcement: civil criminal penalties, and measures of implementation, etc.*		*Remarks*
		YES	*If YES, indicate source document*	*YES*	*If YES, indicate source document*	
22	Re-export control	X	1. Law on Export and Import of Weapons, Military Equipment and Dual-Use Materials of 1998 2. Presidential Decree No. 408 on Certain Measures for Settlement of Issues on the Export, Re-export and Transit of Dual-Use Materials Subject to Export Control, of 22 September 2002			
23	Control of providing funds					
24	Control of providing transport services					
25	Control of importation	X	1. Law on Export and Import of Weapons, Military Equipmet., and Dual-Use Materials of 1998 2. Presidential Decree No. 408 on Certain Measures for Settlement of Issues on the Export, Re-export and Transit of Dual-use Materials Subject to Export Control of 22/9/2002			
26	Extraterritorial applicability					
27	Other					

OP 3 (c) and (d) and related matters from OP 6 and OP 10 — Controls of NW including Related Materials

State: **Georgia**

Date of report: 2013

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export import and other transfers of NW and Related Materials? Can violators be penalized?		*National legal framework*		*Enforcement: civil criminal penalties, and measures of implementation, etc.*		*Remarks*
		YES	*If YES, indicate source document*	*YES*	*If YES, indicate source document*	
1	Border control	X	1. Law on Export and Import of Weapons, Military Equipment and Dual-Use Materials of 1998 2. Law on "Nuclear and Radiation Safety" 3. Resolution No. 397 of the Government of Georgia on Rules on Joint Emergency Response upon Discovery of Nuclear and Radioactive Substances at Checkpoints, Airports, Ports and in the Sea of Georgia of 24/2/2010			
2	Technical support of border control measures	X	1. Nuclear Smuggling Outreach Initiative (NSOI) — engaged since 2006; joint action plan signed, 2007; Addendum signed, 2009 2. Resolution No. 397 of the Government of Georgia on Rules on Joint Emergency Response on Discovery of Nuclear and Radioactive Substances in Checkpoints, Airports, Ports and in the Sea of Georgia of 24.12.2010			http://www.nsoi-state.net/bilateralpartnersengaged/georgia.asp
3	Control of brokering, trading in, negotiating, otherwise assisting in sale of goods and technology					

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export, import and other transfers of NW and Related Materials? Can violators be penalized?		*National legal framework*		*Enforcement: civil, criminal penalties, and measures of implementation, etc.*		*Remarks*
		YES	*If YES, indicate source document*	*YES*	*If YES, indicate source document*	
4	**Enforcement agencies/authorities**	X	**Resolution No. 397 of the Government of Georgia on Rules on Joint Emergency Response on Discovery of Nuclear and Radioactive Substances in Checkpoints, Airports, Ports and in the Sea of Georgia of 24.12.2010**			
5	**Export control legislation in place**	X	**1. Law on Export and Import of Weapons, Military Equipment and Dual-Use Materials of 1/9/1998** **2. Decree No. 408 of the President on Certain Measures for Settlement of Issues on the Export, Re-export and Transit of Dual-Use Materials Subject to Export Control of 22/9/2002** **3. Decree No. 424 of the President on Certain Measures for Export Control of Dual-Use Materials (Technologies, Equipment, Service) of 4/7/1999** **4. Nuclear and Radiation Safety Law., Arts. 38-39** **5. Law on Licenses and Permits**	X		

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export import and other transfers of NW and Related Materials? Can violators be penalized?		*National legal framework*		*Enforcement: civil criminal penalties, and measures of implementation, etc.*		*Remarks*
		YES	*If YES, indicate source document*	*YES*	*If YES, indicate source document*	
6	Licensing provisions	X	1. Law on Licenses and Permits	X		
7	Individual licensing	X	2. Georgian Law on " Control of import and export on armament, military hardware and dual use products"	X		
8	General licensing	X	3. Georgian Law on "Nuclear and Radiation Safety" (Arts. 16, 18, 39-41) 4. Presidential decree N408 from 22 September 2002 on "Some actions for resolving issues connected with export, import, re-export and transit of dual use products subject to export control" 5. Governmental Resolution N 451 from 1 December, 2011 on "Approving permit forms and rules of issuance of permits for export, import, re-export and transit of dual use products subject to export control"	X		
9	Exceptions from licensing	X	1. Nuclear and Radiation Safety Law, Art. 1 2. Law on Export and Import Control of Weapons, Military Equipment and Dual-use Materials, Art. 8 3. Georgian Law on Licensing and Permits			
10	Licensing of deemed export/visa					

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export import and other transfers of NW and Related Materials? Can violators be penalized?		*National legal framework*		*Enforcement: civil criminal penalties, and measures of implementation, etc.*		*Remarks*
		YES	*If YES, indicate source document*	*YES*	*If YES, indicate source document*	
11	National licensing authority	X	1. Law on Export and Import of Weapons, Military Equipment and Dual-Use Materials of 1/9/1998 2. Presidential Decree No. 408 on Certain Measures for Settlement of Issues on the Export, Re-export and Transit of Dual-Use Materials Subject to Export Control of 22/9/2002 3. Presidential Decree No. 424 on Certain Measures for the Export Control of Dual-Use Materials (Technologies, Equipment, Service), of 04 July 1999; 4. Nuclear and Radiation Safety Law, Arts. 7 and 10; 5. Order No. 8 of the Minister of Environment on Statute of the Department for Nuclear and Radiation Safety of the Ministry of Environment and Natural Resources Protection of Georgia of 10.05.2013. 6. Law on License and Permits, Arts. 9 and 25.	X		
12	Interagency review for licences	X		X		

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export import and other transfers of NW and Related Materials? Can violators be penalized?		*National legal framework*		*Enforcement: civil criminal penalties, and measures of implemeniation, etc.*		*Remarks*
		YES	*If YES, indicate source document*	*YES*	*If YES, indicate source document*	
13	Control lists	X	1. Law on Export and Import of Weapons, Military Equipment and Dual-use materials of 1 September 1998 (new law in terms of harmonization to the EU legislation is on its final step of preparation) 2. Presidential Decree No. 408 on Certain Measures for Settlement of Issues on Export, Re-export and Transit of Dual-use Materials Subject to Export Control of 22/9/2002 3. Presidential Decree No. 424 on Certain Measures for the Export Control of Dual-Use Materials (Technologies, Equipment, Service) of 4/7/1999	X		
14	Updating of lists	X	List under Presidential Decree No. 408 on Certain Measures for Settlement of Issues on the Export, Re-export and Transit of Dual-Use Materials Subject to Export Control of 22/9/2002 (amended list in June 2011 and control list of dual-use materials partially harmonized with that of the European Union			

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of NW and Related Materials? Can violators be penalized?		National legal framework		Enforcement: civil/criminal penalties, and measures of implementation, etc.		Remarks
		YES	If YES, indicate source document	YES	If YES, indicate source document	
15	Inclusion of technologies	X	1. Law on Export and Import Control of Weapons, Military Equipment and Dual-use Materials; 2. Presidential Decree N 424 of the President on Certain Measures for Export Control of Dual-use Materials (Technologies, Equipment, Service) of 04.07.1999. 3. Presidential Decree N 408 on Certain Measures for Settlement of Issues on Export, Re-export and Transit of Dual-use Materials Subject to Export Control of 22.09.2002			
16	Inclusion of means of delivery	X	1. Law on Export and Import of Weapons, Military Equipment and Dual-Use Materials of 1998 2. Presidential Decree No. 424 on Certain Measures for Export Control of Dual-Use Materials (Technologies, Equipment, Service) of 4/7/1999 3. Presidential Decree No. 408 on Certain Measures for Settlement of Issues on the Export, Re-export and Transit of Dual-Use Materials Subject to Export Control of 22/9/2002			

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export import and other transfers of NW and Related Materials? Can violators be penalized?		*National legal framework*		*Enforcement: civil criminal penalties, and measures of implementation, etc.*		*Remarks*
		YES	*If YES, indicate source document*	*YES*	*If YES, indicate source document*	
17	End-user controls	X	1. Law on Export and Import Control of Weapons, Military Equipment and Dual-Use Materials, Arts. 2 and 8 2. Decree No. 408 of the President on Rules on Certain Measures for Settlement of Issues on the Export, Re-export and Transit of Dual-use Materials Subject to Export Control of 22/9/2002			
18	Catch all clause					
19	Intangible transfers	X	1. Nuclear and Radiation Safety Law. Art. 4, Law on Export and Import Control of Weapons, Military Equipment and Dual-use Materials 2. Decree N 408 of the President on Rules on Certain Measures for Settlement of Issues on Export, Re-export and Transit of Dual-use Materials Subject to Export Control of 22.09.2002			

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of NW and Related Materials? Can violators be penalized?		*National legal framework*		*Enforcement: civil/criminal penalties, and measures of implementation, etc.*		*Remarks*
		YES	*If YES, indicate source document*	*YES*	*If YES, indicate source document*	
20	Transit control	X	1. Nuclear and Radiation Safety Law, Arts. 18 and 38; Law on Licences and Permits, Arts. 18 and 40 2. Law on Export and Import Control of Weapons, Military Equipment and Dual-use Materials 3. Presidential Decree N 408 o on Certain Measures for Settlement of Issues on Export, Re-export and Transit of Dual-use Materials Subject to Export Control of 22.09.2002			
21	Trans-shipment control					
22	Re-export control	X	1. Nuclear and Radiation Safety Law, Art. 34 2. Law on Export and Import of Weapons, Military Equipment and Dual-Use Materials 3. Presidential Decree No. 408 on Certain Measures for Settlement of Issues on the Export, Re-export and Transit of Dual-Use Materials Subject to Export Control of 22/9/2002			
23	Control of providing funds					
24	Control of providing transport services					

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export import and other transfers of NW and Related Materials? Can violators be penalized?		*National legal framework*		*Enforcement: civil criminal penalties, and measures of implementation, etc.*		*Remarks*
		YES	*If YES, indicate source document*	*YES*	*If YES, indicate source document*	
25	Control of importation	X	1. Nuclear and Radiation Safety Law, Arts. 18 and 41 2. Law on Licences and Permits 3. Law on Export and Import Control of Weapons, Military Equipment and Dual-Use Materials; 4. Presidential Decree No. 408 on Certain Measures for Settlement of Issues on the Export, Re-export and Transit of Dual-Use Materials Subject to Export Control of 22/9/2002			
26	Extraterritorial applicability					
27	Other					

OP 6, 7 and 8 (d) — Control lists, Assistance, Information

State: **Georgia**

Date of report: 2013

Can information be provided on the following issues?		*YES*		*Remarks*
1	Control lists — items (goods/equipment/materials/ technologies)	X	1. Presidential Decree No. 408 on Certain Measures for Settlement of Issues on the Export, Re-export and Transit of Dual-Use Materials Subject to Export Control of 22/9/2002 2. Presidential Decree No. 304 on the List of Military Items Subject to Export Control of 15/7/2000	
2	Control lists — other	X	Security Council resolutions 1737 (2006), 1747 (2007), 1803 (2008), 1929 (2010) and related documents; European Union regulation No. 388/2012	
3	Assistance offered			
4	Assistance requested			
5	Assistance in place (bilateral/ plurilateral/multilateral)	X	1. Nuclear Smuggling Outreach Initiative (NSOI) — engaged since 2006; joint action plan signed, 2007; Addendum signed, 2009 2. European Union outreach programme of control of dual-use items 3. Strategic Partnership between Georgia and the Export Control and Related Border Security Program of the United States Department of State	http://www.nsoi-state.net/bilateralpartnersengaged/georgia.asp
6	Information for industry			
7	Information for the public			

United Nations S/AC.44/2013/21

Security Council

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Security Council Committee established pursuant to resolution 1540 (2004)

Note verbale dated 29 May 2013 from the Permanent Mission of the Syrian Arab Republic to the United Nations addressed to the Chair of the Committee

The Permanent Mission of the Syrian Arab Republic to the United Nations has the honour to refer to your note dated 27 February 2013 and to attach herewith updated information submitted by the Government of the Syrian Arab Republic in accordance with paragraph 7 of Security Council resolution 1977 (2011) (see annex).

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Annex to the note verbale dated 29 May 2013 from the Permanent Mission of the Syrian Arab Republic to the United Nations addressed to the Chair of the Committee

[Original: Arabic]

On 14 October 2004, the Syrian Arab Republic submitted its first national report to the Security Council Committee established pursuant to resolution 1540 (2004). The report was issued on 24 November 2004 as document S/AC.44/2004/(02)/70. In the light of the requirements and comments of the Committee, it was then supplemented by letters S/AC.44/2004/(02)/70/Add.1 and Add.2, both issued on 7 October 2005, and S/AC.44/2004/(02)/70/Add.3, which was issued on 10 November 2005.

The Syrian Arab Republic reiterates its commitment to the applicable instruments, international decisions, legislation and procedures in respect of information exchange and international, national, regional and subregional coordination to confront the threat posed by terrorists' acquisition of weapons of mass destruction.

Before the adoption of resolution 1540 (2004), the Government of the Syrian Arab Republic had taken a series of measures to regulate the peaceful use of chemical and biological materials and prevent their misuse. The competent Syrian authorities have put in p'ace national legislation on the peaceful handling of chemical substances, establishing a national centre in Damascus in 1994.

By Law No. 51 (2001) on weapons, the Government of the Syrian Arab Republic imposed firm penalties for handling any type of weapon unlawfully and without a prior formal permit issued by the competent authorities. Permits exist for all forms of handling, including import, export, trafficking, production, distribution, transfer, transit, repair, carrying and acquisition. The penalties range from fines to prison terms, the amount or duration being determined in accordance with national legislation.

The Government of the Syrian Arab Republic remains committed to all of its international obligations regarding the scope of resolution 1540 (2004), and is developing and strengthening the relevant national monitoring and regulatory programmes. Syria had agreed with the International Atomic Energy Agency (IAEA) to apply the Code of Conduct on the Import and Export of Radioactive Sources.

Security Council resolution 1540 (2004) was adopted in order to prevent terrorists from acquiring weapons of mass destruction. By resolution 1977 (2011), the Council expressed its grave concern at the threat of terrorism and the risk that non-State actors may acquire, develop, traffic in or use nuclear, chemical, and biological weapons and their means of delivery. That resolution also noted that international cooperation between States, in accordance with international law, was required to counter illicit trafficking in nuclear, chemical and biological weapons, their means of delivery and related materials.

The Government of the Syrian Arab Republic has therefore sent a number of official letters to the Secretary-General of the United Nations and the President of the Security Council for circulation as documents of the General Assembly and the Council. For example, its letter of 8 December 2013, issued as document A/67/628-

S/2012/917, highlighted reports in the Turkish newspaper *Yurt* that Al-Qa'ida members were producing chemical weapons in a laboratory near the Turkish city of Gaziantep and were threatening to use them against Syrian civilians. *Yurt* also drew attention to videos posted on the Internet in which terrorists made poison gas from chemical materials obtained by Al-Qaida from Turkish companies and tested them on living creatures.

In those letters, the Government of the Syrian Arab Republic warned that certain States were supporting terrorism by facilitating the armed terrorist groups' acquisition of chemical materials, and that those groups could resort to using such weapons against the Syrian people.

The Syrian Arab Republic calls on the Security Council to take appropriate action to prevail on those States to comply with their obligations under Security Council resolutions 1540 (2004) and 1977 (2011), thereby contributing effectively to international efforts to preserve international peace and security. The Security Council has a duty to work to coordinate international efforts in order to prevent terrorists from acquiring weapons of mass destruction and their means of production and delivery, and to hold States accountable for violating their international obligations in that regard.

United Nations S/AC.44/2013/22

Security Council

Distr.: General
26 November 2013
English
Original: French

Security Council Committee established pursuant to resolution 1540 (2004)

Letter dated 9 September 2013 from the Permanent Representative of Burkina Faso to the United Nations addressed to the Chair of the Committee

Up-to-date information on the implementation of resolution 1540 (2004) on the non-proliferation of weapons of mass destruction

In response to the request contained in your letter No. A/AC.44/2013/OC.5 of 27 February 2013 concerning up-to-date information on the implementation of resolution 1540 (2004), I have the honour to communicate the following new information.

With regard to terrorism, Burkina Faso has passed Act No. 060/2009/AN of 17 December 2009 on the suppression of acts of terrorism in Burkina Faso, and Act No. 061/2009/AN of 17 December 2009 on combating the financing of terrorism. The country's laws therefore punish any person who possesses, transfers, alters, assigns, dispenses, uses illicitly or threatens to use nuclear or radioactive materials that cause death or serious injury, or substantial damage to property and the environment. Attempts to commit or complicity in the commission of such acts are also punished. Nonetheless, to date, the competent national jurisdictions have not had to prosecute or rule on offences relating thereto.

In the nuclear arena, Burkina Faso has passed Act No. 010/2005/AN of 26 April 2005 on nuclear safety and protection against atomic radiation, which governs activities related to the use of nuclear substances and materials as well as sources of atomic radiation in all private and public economic and social sectors. More recently, it passed Act No. 032/2012 of 8 June 2012 on nuclear security, safety and safeguards, which is designed to combat criminal and terrorist activities and to control the use of nuclear materials and other radioactive sources.

Please find below the contact information for Burkina Faso's focal points, one from the permanent mission and one from the capital.

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(*Signed*) Der **Kogda**
Ambassador
Permanent Representative

United Nations S/AC.44/2013/23

Security Council

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4 December 2013
English
Original: Spanish

Security Council Committee established pursuant to resolution 1540 (2004)

Note verbale dated 30 August 2013 from the Permanent Mission of Colombia to the United Nations addressed to the Chair of the Committee

The Permanent Mission of Colombia to the United Nations presents its compliments to the Chair of the Security Council Committee established pursuant to resolution 1540 (2004) and refers to his note of 27 February 2013.

The Permanent Mission of Colombia to the United Nations has the honour to submit the up-to-date information requested in the aforementioned note, in accordance with the relevant provisions of Security Council resolution 1977 (2011) (see annex).

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Annex to the note verbale dated 30 August 2013 from the Permanent Mission of Colombia to the United Nations addressed to the Chair of the Committee

National report of Colombia

1. Clarification or amendments to current information

Item 4: National legislation and regulations

We wish to replace the information under item 4 (National legislation and regulations), sub-item IV (Regulations concerning radioactive and/or nuclear materials), with the following:

IV. Regulations concerning radioactive and/or nuclear materials

As the regulating authority, the Ministry of Mines and Energy has issued the following regulations:

(a) Decision No. 181434 of 5 December 2002 (Regulation concerning radiation protection and safety), whereby Colombia adopted the Basic Safety Standards (BSS 115);

(b) Decision No. 181682 of 8 December 2005, whereby Colombia adopted the Regulations for the Safe Transport of Radioactive Material;

(c) In December 2009, the radioactive waste management policy was issued, the details of which are regulated by Decision No. 180005 (Regulation for the management of radioactive waste in Colombia). That regulation establishes the system of waste classification by management option and provides that class 2 waste (very-low-level waste) shall be managed at the point of generation;

(d) Decision No. 180052 of 21 January 2008. Categorization of radioactive sources: the categorization system is only applicable to sealed radioactive sources; it is not applicable to nuclear materials and unsealed radioactive sources are covered on a case-by-case basis. This system seeks to implement control systems with a graded approach, i.e. one that is commensurate with the degree of risk associated with each source;

(e) Licence for the handling of radioactive materials: any individual or legal entity, whether public or private, national or foreign, located or represented in Colombia and engaged in activities related to the use of radioactive materials in any field whatsoever within the jurisdiction of the Republic of Colombia, must have a licence issued by the Ministry of Mines and Energy or its delegated entity. Decision No. 181304 of 8 October 2004 and the amendments and additions to Decision No. 180208 of 25 February 2005 establish the minimum requirements and conditions for obtaining the licence;

(f) Inspection of facilities where radioactive materials are managed: as part of its monitoring and control activities, the national regulatory authority inspects facilities where radioactive materials are managed. To regulate these activities, the Ministry of Mines and Energy issued Decision No. 181478 on 12 November 2004, which establishes the procedure for inspecting or monitoring such facilities. Article 4 thereof was later amended through Decision No. 180208 of 25 February 2005;

(g) Import licence for radioactive materials: Decision No. 181419 of 4 November 2004 establishes the requirements and procedure for the issuance of import licences for all radioactive materials intended for medical, industrial, agricultural, veterinarian, commercial, research, teaching or other application or use across the country;

(h) The regulatory infrastructure for controlling radioactive materials is set up in accordance with the Code of Conduct on the Safety and Security of Radioactive Sources and the Guidance on the Import and Export of Radioactive Sources. The philosophy behind such infrastructure is that of control throughout the life cycle of radioactive sources, from their manufacture to their management as obsolete sources or waste. Colombia's compliance with and implementation of the Code and Guidance, which are non-binding instruments, demonstrate its strong commitment to keeping radioactive materials in secure conditions;

(i) Given that nuclear materials, as defined in the Convention on the Physical Protection of Nuclear Material, fall beyond the scope of the rules governing authorization and control, and in order to regulate the licensing procedure for the operation of nuclear facilities in Colombia, on 12 November 2004, Decision No. 181475 was issued, establishing the licensing requirements for the operation, extended shutdown, modification and dismantling of such facilities.

All of these regulations, together with the international instruments in this field, are implemented by discharging the duties of a regulatory authority, namely licensing, monitoring and control.

The national regulatory authority's information system includes a national inventory of radioactive materials, which is updated and certified through the inspection process. This inventory includes approximately 400 facilities that currently work with radioactive sources (this number varies as facilities are commissioned and decommissioned). Ninety-six per cent of these facilities are licensed and are subject to periodic monitoring and controls, through the regular programme of inspections which is carried out in its entirety.

Colombia has only one nuclear facility, the IAN-R1 research reactor, which is authorized and subject to regulatory control inspections as well as international safeguards inspections. The facility's physical security mechanisms are in line with those established for this type of facility in the Convention on the Physical Protection of Nuclear Material.

Colombia also reports its nuclear material balance and complies with the provisions of the Protocol Additional to its Safeguards Agreement by authorizing the "complementary access" process and submitting extended reports pursuant to that instrument.

All facilities that worked with category 1 radioactive sources, at the time of the first report, had physical security mechanisms that applied the physical protection principles, i.e. prevention, delay and response. All of those mechanisms were acquired in cooperation with the Ministry of Mines and Energy and the United States Department of Energy, through the Global Threat Reduction Initiative. We are currently updating the mechanisms already installed in facilities and also installing new ones in new facilities. The programme has been extended to category 2 facilities focusing on Co-60, Ir-192, Cs-137 and other sources. Category 3 facilities

are also subject to these upgrades where deemed necessary following implementation of the aggregation principle.

2. Additional information or additional steps

Item 3. Other initiatives

International Health Regulations

Colombia, as a State member of the World Health Organization, is implementing the International Health Regulations, which were adopted at the fifty-eighth World Health Assembly under resolution WHA58.3 and which entered into force on 15 June 2007. The purpose of these Regulations is to prevent, protect against, control and provide a public health response to the international spread of disease in ways that are commensurate with and restricted to public health risks, and which avoid unnecessary interference with international trade and traffic.

The implementation of these Regulations and other international instruments, such as the conventions to ban biological, chemical and nuclear weapons, has been strengthened. By Decree No. 3518 of 2006, Colombia established its National Focal Point for the comprehensive management of biological, chemical and nuclear radiation risks in the event of an accident or an intentional incident (deliberate act).

Cartagena Protocol on Biosafety to the Convention on Biological Diversity

By Act No. 740 of 2002, Colombia incorporated into its domestic legislation the Cartagena Protocol on Biosafety to the Convention on Biological Diversity, whose objective is to help to ensure an adequate level of protection in the safe transfer, handling and use of living modified organisms resulting from modern biotechnology that may have adverse effects on the conservation and sustainable use of biological diversity, taking into account risks to human health and focusing specifically on cross-border movements, in accordance with the precautionary approach outlined in Principle 15 of the Rio Declaration on Environment and Development.

Item 4. Domestic legislation and regulations

II. Criminal measures

Act No. 599 of 2000

- Article 330 (amended by article 31 of Act No. 1453 of 2011). Illicit handling and use of genetically modified organisms, microorganisms and elements: Any person who, in breach of existing regulations, introduces, manipulates, experiments with, injects or propagates molecular microorganisms, substances or elements that endanger the health or existence of fauna, flora or hydrobiological resources, or that alter their populations detrimentally, shall be liable to a term of imprisonment of between sixty (60) and one hundred and eight (108) months and a fine of between one hundred and thirty-three point three three (133.33) and fifteen thousand (15,000) times the current minimum statutory monthly wage.

  The same penalty shall be imposed on any person who, in breach of existing regulations, imports, introduces, manipulates, experiments with, or releases

genetically modified organisms that constitute a hazard to human health, the environment or biodiversity in Colombia.

Should such action result in disease, infection or genetic erosion in species, the penalty shall be increased by one third.

- Article 334 (amended by article 37 of Act No. 1453 of 2011). Illegal experimentation with species or biological or biochemical agents. Any person who, without the permission of the competent authority, or in breach of existing regulations, undertakes experiments with species or biological or biochemical agents that pose a risk to or endanger human health or the survival of species found in Colombia, shall be liable to a term of imprisonment of between sixty (60) and one hundred and forty-four (144) months and a fine of between one hundred and thirty-three point three three (133.33) and fifty thousand (50,000) times the current minimum statutory monthly wage.

- Article 361. Introduction of nuclear and toxic wastes. (Penalties increased by article 14 of Act No. 890 of 2004, as of 1 January 2005). The article with the increased penalties reads as follows: Any person who introduces nuclear or toxic waste into Colombia shall be liable to a term of imprisonment of between forty-eight (48) and one hundred and eighty (180) months and a fine of between one hundred and thirty-three point three three (133.33) and thirty thousand (30,000) times the current minimum statutory monthly wage.

- Article 362. Disruption of a nuclear or radioactive facility. (Penalties increased by article 14 of Act No. 890 of 2004, as of 1 January 2005). The article with the increased penalties reads as follows: Any person who by any means compromises the normal operations of a nuclear or radioactive facility shall be liable to a term of imprisonment of between forty-eight (48) and one hundred and forty-four (144) months and a fine of between one hundred and thirty-three point three three (133.33) and thirty thousand (30,000) times the current minimum statutory monthly wage.

- Article 363 (amended by article 14 of Act No. 890 of 2004). Trafficking in, transport and possession of radioactive materials or nuclear substances: Any person who, without permission from the relevant authorities, manufactures, transports, possesses, stockpiles, distributes, receives, sells, supplies or traffics radioactive materials or nuclear substances, uses waste from such materials or substances, or radioactive isotopes, shall be liable to a term of imprisonment of between thirty-two (32) and one hundred and eight (108) months and a fine of between twenty-six point six six (26.66) and one hundred and fifty (150) times the current minimum statutory monthly wage.

  The penalty shall be between forty-eight (48) and one hundred and forty-four (144) months and the fine shall be between sixty-six point six six (66.66) and three hundred (300) times the current minimum statutory monthly wage if any of the above actions causes the release of nuclear energy or radioactive elements that endanger peoples' lives, health or property.

- Article 369 (amended by article 2 of Act No. 1220 of 2008). Spreading of an epidemic: Any person who spreads an epidemic shall be liable to a term of imprisonment of between four (4) and ten (10) years.

III. Trade-related matters

(a) Decree No. 0925 of 2013: Articles 23 and 25 state that import applications shall be assessed and a decision made by the Department for Foreign Trade of the Ministry of Trade, Industry and Tourism through its Single Window for Foreign Trade Unit, and indicate that the necessary formalities must be completed in advance to obtain permits and authorizations from the relevant authorities;

(b) Circular No. 50 of 2012 of the Ministry of Trade, Industry and Tourism "Clearance for the submission of applications for registration and import licences": annex 18 of this Circular lists products containing radioactive materials to be used for educational, industrial and medical research purposes which require a licence granted by the Colombian Geological Service to be imported into the country;

(c) Decrees Nos. 070 of 2001 and 4131 of 2011 and Decisions Nos. 181419 of 2004 and 181030 of 2007 regulate the issuance of licences for the importation of radioactive materials to be applied or used in Colombia;

(d) Upon obtaining a licence for the importation of radioactive material issued by the Colombian Geological Service, the importer shall initiate the registration or import licensing procedure through the Single Window for Foreign Trade Unit, submitting the document issued by that authority in the process;

(e) To apply for registration or for an import licence through the Single Window for Foreign Trade Unit, in box 28 of the application form, labelled "Request approval from authority", the importer must select code 07, the relevant code for the Colombian Geological Service, which issues import licences for radioactive materials, and shall indicate in that box the period of validity and the specific product item concerned;

(f) Annex 4 of Circular No. 50 of 2012 of the Ministry of Trade, Industry and Tourism lists products that may only be imported through Industria Militar, in accordance with Decree No. 2535 of 1993 and Regulatory Decree No. 1809 of 1994 on arms, ammunition, explosives and their accessories, Decree No. 334 of 2002 on raw materials for explosives, Act No. 525 of 1999 and Decree No. 1419 of 2002 establishing the National Authority for the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and for their Destruction.

V. Regulatory instruments for Security Council resolutions

(a) Decision No. 265 of 2004, which set out the measures needed to comply with Security Council resolution 1540 (2004);

(b) Decision No. 079 of 2011, which set out the measures needed to comply with Security Council resolutions 1493 (2003), 1533 (2004), 1596 (2005), 1649 (2005), 1698 (2006), 1768 (2007), 1771 (2007), 1799 (2008), 1807 (2008), 1857 (2008), 1896 (2009) and 1952 (2010);

(c) Decision No. 123 of 2011, which set out the measures needed to comply with Security Council resolutions 1988 (2011) and 1989 (2011);

(d) Decision No. 034 of 2011, which set out the measures needed to comply with Security Council resolutions 1643 (2005), 1708 (2006), 1727 (2006), 1761 (2007), 1782 (2006), 1842 (2008), 1893 (2009) and 1946 (2010);

(e) Decision No. 076 of 2011, which set out the measures needed to comply with the provisions of Security Council resolutions 825 (1993), 1695 (2006), 1718 (2006), 1874 (2009) and 1928 (2010);

(f) Decision No. 033 of 2011, which set out the measures needed to comply with Security Council resolution 1636 (2005);

(g) Decision No. 032 of 2011, which set out the measures needed to comply with Security Council resolutions 660, 661 and 662 (1990) and 1518 (2003);

(h) Decision No. 030 of 2011, which set out the measures needed to comply with Security Council resolutions 751 (1992) and 1907 (2009);

(i) Decision No. 031 of 2011, which set out the measures needed to comply with Security Council resolutions 1556 (2004), 1591 (2005), 1665 (2006), 1779 (2007), 1841 (2008), 1891 (2009) and 1945 (2010);

(j) Decision No. 080 of 2011, which set out the measures needed to comply with Security Council resolutions 1970 (2011) and 1973 (2011).

Item 5. Other national measures

I. Regulation of biologically hazardous materials

Act No. 1122 of 2007

- Article 32: Public Health. Public health comprises the set of policies that aim to ensure the health of the population, in a comprehensive manner, through health actions aimed at individuals and the community alike, since the results are indicators of living conditions, well-being and development in the country. Such actions shall be carried out under the stewardship of the State and shall encourage the responsible participation of all sectors of the community.
- Article 33, paragraph 4: The technical capacity of National Health Institute shall be strengthened in order to carry out the following functions, in addition to those outlined in Decree No. 272 of 2004:

  (a) Define and implement the operating model of the System for Public Health Monitoring and Control in the General Social Security System for Health;

  (b) Carry out studies and research to assist the Ministry of Social Protection in its decision-making with regard to the National Health Plan.

- Article 34: Monitoring in some areas of public health. The National Institute for Food and Drug Monitoring, as a national health authority, in addition to duties stipulated in other legal provisions, is responsible for the following:

  (a) Assessment of risk factors and implementation of sanitary measures relating to food and raw materials for food production;

  (b) Exclusive power of inspection, monitoring and control of food production and processing, of plants grown for fodder, of milk collection centres and milk and dairy products processing plants, and of transport relating to these activities.

Act No. 1438 of 2011

This Act amends the General Social Security System for Health and sets out other provisions.

- Article 6: Ten-Year Plan for Public Health. The Ministry of Social Protection shall develop a Ten-Year Plan for Public Health through a process of broad community participation under the primary health care strategy. The Plan should contain sectoral policies to improve the health of the population, including mental health. The Ministry shall ensure that the process is fully participatory by promoting capacity-building for citizens and social organizations.

The Plan shall set out its purpose, goals, actions, resources, sectoral coordinators and follow-up indicators, as well as the mechanisms for its evaluation.

The Ministry may amend the Ten-Year Plan in accordance with the health priorities established based on an analysis of any public health event that may arise.

- Transitory paragraph: The first Ten-Year Plan shall enter into effect in 2012.

- Article 7: Cross-sectoral coordination: To develop the Ten-Year Plan under the primary health care strategy, all bodies that are part of the Social Protection System and other stakeholders that address the determinants of health shall work together in a coordinated manner, in line with the guidelines, criteria and mechanisms established by the National Council for Economic and Social Policy (CONPES) and the Ministry of Social Protection.

  Paragraph 1: For the purposes of coordination, a cross-sectoral public health commission shall be established and shall meet every six months to follow up on actions taken to manage the determinants of health; it shall inform CONPES accordingly.

  Paragraph 2: In the regions, the Plan shall be coordinated by regional social security councils, with the participation of institutions and organizations that address the determinants of health.

- Article 8: National Health Observatory. The Ministry of Social Protection shall establish the National Health Observatory, as a subsidiary body of the National Health Institute. The national Government shall adopt regulations setting out the organizational and operating structure of the National Health Observatory, the technical team and human resources needed for its operation, and shall allocate resources for its implementation.

Decree No. 2676 of 2000, amended by Decrees Nos. 1669 of 2002 and 2676 of 2002

The purpose of this decree is to regulate, with regard to the environment and health, the comprehensive management of hospital and similar waste, generated by individuals or legal entities. The decree applies to individuals or legal entities providing health-care services to humans and/or animals, and also to those who generate, identify, separate, deactivate, pack, collect, transport, stock, manage, supply, recover, transform, treat and dispose of hospital and similar waste when carrying out activities or using facilities relating to:

(a) The provision of health services, including health promotion, disease prevention, diagnosis, treatment and rehabilitation activities;

(b) Teaching and research with living organisms or cadavers;

(c) Animal facilities and biotechnology laboratories;

(d) Cemeteries, morgues, funeral homes and crematoriums;

(e) Surgeries, clinics, pharmacies, permanent make-up and/or tattoo parlours, veterinary laboratories, zoonosis and zoological centres;

(f) Pharmaceutical laboratories and medical supply manufacturing plants.

Decree No. 4525 of 2005

This decree regulates Act No. 740 of 2002, which applies to the transboundary movement, transit, handling and use of living modified organisms that may have adverse effects on the environment and biological diversity, taking into account risks to human health, productivity and agricultural production.

Decree No. 2323 of 2006

This decree partially regulates Act No. 9 of 1979 with regard to the National Network of Laboratories and sets out other provisions.

- Article 9. Areas of responsibility of national reference laboratories: The National Health Institute and the National Institute for Food and Drug Monitoring shall jointly coordinate the National Network of Laboratories and, in addition to their statutory areas of responsibility, shall perform the following functions:
  - Establish quality standards for the approval of institutions or laboratories that are responsible for assessing public health laboratories
  - Monitor compliance with quality standards by laboratories and institutions seeking approval to conduct public health assessments
- Article 20. Laboratory accreditation: Laboratories shall be accredited in accordance with the current regulations of the national standardization, certification and metrology system, without prejudice to compliance with industry standards on any topic selected by the Ministry of Social Protection.

  Paragraph: National reference laboratories and regional and capital-district public health laboratories shall focus their management efforts on the gradual implementation of the quality standards required for accreditation.

Decree No. 3518 of 2006

This decree establishes and regulates the Public Health Monitoring System and sets out other provisions.

- Article 20. Mandatory reporting: All members of the Public Health Monitoring System that produce public health information must report all events subject to mandatory reporting set out in the monitoring models and protocols, in accordance with both the data-generation, liability, classification, periodicity and end-use criteria established therein and the standards of quality, accuracy and timeliness of the information reported.

- Article 28. Special tests for the study of public health events: Laboratory tests needed to monitor public health shall comply with the requirements set out in the protocols for the diagnosis and/or confirmation of events and the rules governing the administration of such tests.

- Article 45. Control of infectious and toxic agents and materials, vectors and reservoirs: Comprises existing measures and procedures to control or eliminate infectious and toxic agents or materials, vectors and reservoirs, present in people, animals, plants, inert matter, consumer products or other inanimate objects, which may pose a risk to public health; these measures include disinfection, decontamination, disinfestation and pest control.

Decision No. 1841 of 2013

Decision No. 1841 of 2013 adopts the Ten-Year Public Health Plan 2012-2021, which sets out health policy for the next ten years and the programme of work, focusing on risk management and on addressing social determinants of health. The plan also establishes the areas of responsibility of health agencies and the coordination mechanisms in order to achieve these goals.

- Article 1. Ten-Year Public Health Plan: The Ten-Year Public Health Plan 2012-2021, as it appears in the Technical Annex, which is an integral part of the present decision, is hereby adopted. The members of the General Social Security System for Health and the Social Protection System must comply with the Plan, within their areas of responsibility and in accordance with their duties.

- Article 5. Harmonization of public policies and cross-sectoral coordination: In accordance with article 7, paragraph 1, of Act No. 1438 of 2011 and the regulations amending, supplementing or superseding it, the Intersectoral Commission on Public Health shall be responsible for coordinating, harmonizing and monitoring the management of the social determinants of health, and the development of public health policies.

The objectives of the Ten-Year Plan include:

7.6.2 Objectives relating to healthy living and communicable diseases

(a) Guarantee and uphold the right of the Colombian population to be free from communicable diseases throughout all stages of life and in everyday life by adopting a differentiated approach based on equity and promoting the positive transformation of endemic, epidemic, emerging, re-emerging and neglected situations and conditions, in order to foster human, social and sustainable development;

(b) Reduce, gradually and in a sustained manner, exposure to conditions and factors that pose environmental, health and biological risks, and promote the principles of accessibility, comprehensiveness, continuity, linkages and sustainability in dealing with contingencies and harm arising from communicable diseases;

(c) Establish conditions and build capacities in this and other sectors, organizations, institutions, health services and the community for the management

of plans, programmes and projects which reduce the exposure and specific vulnerabilities of the population to communicable diseases.

7.7.2 Objective relating to public health in emergencies and disasters

Promote systematic disaster risk management with a view to protecting people, communities and the environment, in order to raise awareness of, prevent, tackle and manage crisis situations, emergencies and disasters, and to strengthen the resilience and recovery capacity of communities by contributing to health security and the improvement of living conditions and the health of the population.

7.7.3 Components relating to public health in emergencies and disasters

Comprehensive emergency and disaster risk management.

Response to crisis situations, public health emergencies and disasters.

7.7.3.1 Comprehensive emergency and disaster risk management

7.7.3.1.1 Definition of the component

This component comprises the set of actions and interventions for the identification, prevention and mitigation of risks and vulnerabilities in the regions, which seek to anticipate the future risk of emergencies and disasters through the integration of development processes and sectoral, cross-sectoral and community planning. It involves strengthening the nation's ability to respond to disasters and reduce their impact on the health of Colombians, and to address unexpected public health events that could compromise the health of communities.

7.7.3.1.2 Objectives under this component

(a) Establish networks for the exchange of information and knowledge on the risk of all types of disasters, and on emergency and disaster planning, response measures, monitoring and evaluation of management and results;

(b) Reduce the existing and future risk of disasters in order to tackle the consequences of climate change;

(c) Maintain and strengthen basic monitoring and response capacity within the framework of the International Health Regulations (2005);

(d) Ensure that hospitals have access to safe, timely and sufficient supplies of blood and blood components.

3. Information on any measures your Government intends to take in the future

Colombia is working with the Inter-American Committee against Terrorism to put into effect its national action plan for the implementation of resolution 1540 (2004).

The National Disaster Risk Management Unit is currently leading the effort to develop a national disaster risk management plan for hazardous substances (biological, chemical and radiological), with the support and participation of the components of the National Disaster Risk Management System.

4. Up-to-date contacts for all matters relating to Security Council resolution 1540 (2004)

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